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# United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

## SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 5101-5150.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., December 15, 1917.]

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**5101. Adulteration of beans. U. S. \* \* \* v. 50 Wooden Cases of Beans in Tomato Sauce. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7353. I. S. No. 11364-1. S. No. C-494.)**

On April 25, 1916, the United States attorney for the district of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 wooden cases of beans in tomato sauce, remaining unsold in the original unbroken packages at New Albany, Ind., alleging that the article had been shipped on or about February 16, 1916, by the Rossville Canning Co., Rossville, Ill., and transported from the State of Illinois into the State of Indiana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Frisco Brand Luncheon Beans in Tomato Sauce \* \* \* Rossville Canning Co., Rossville, Ill."

Adulteration of the article was alleged in substance in the libel for the reason that it had been colored, whereby inferiority was concealed; and for the further reason that it consisted, in whole or in part, of decomposed vegetable substance.

On February 15, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

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**5102. Adulteration of milk. U. S. \* \* \* v. John A. Webster. Plea of guilty. Fine, \$25.** (F. & D. No. 7354. I. S. No. 28042-k.)

On June 27, 1916, the United States attorney for the district of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John A. Webster, Willimantic, Conn., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about May 4, 1915, from the State of Connecticut into the State of Rhode Island, of a quantity of milk which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Specific gravity at 60°/60° F-----	1.0306
Fat (by Babcock) (per cent)-----	2.60
Total solids by calculation (per cent)-----	10.77
Total solids by weighing (per cent)-----	10.82
Refraction of serum at 20° C-----	36.7

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for milk, which the article purported to be.

On December 5, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5103. Adulteration of pork and beans. U. S. \* \* \* v. 50 Cases \* \* \* of Pork and Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7360. I. S. No. 11365-1. S. No. C-499.)**

On April 27, 1916, the United States attorney for the District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of pork and beans, remaining unsold in the original unbroken packages at New Albany, Ind., alleging that the article had been shipped on or about March 27, 1916, by the Oceana Canning Co., Shelby, Mich., and transported from the State of Michigan into the State of Indiana, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Cupid Brand Pork and Beans with tomato sauce \* \* \* Select Quality. Packed by Oceana Packing Co., Shelby, Mich."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On February 15, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5104. Adulteration of pork and beans with tomato sauce. U. S. \* \* \*  
v. 475 Cases \* \* \* Pork and Beans. Consent decree of con-  
demnation and forfeiture. Product ordered released on bond.  
(F. & D. No. 7365. I. S. No. 12447-L. S. No. C-504.)**

On April 29, 1916, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 475 cases, each containing 2 dozen cans of pork and beans, remaining unsold in the original unbroken packages at Peoria, Ill., alleging that the article had been shipped on February 16, 1916, by the Wisconsin Pea Cannery Co., Manitowoc, Wis., and transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Eureka Brand High Grade Pure Food Products Pork and Beans with tomato sauce Quality guaranteed \* \* \*."

It was charged in substance in the libel that the article was adulterated for the reason that it consisted in part of a decomposed vegetable substance.

On October 26, 1916, the said Wisconsin Pea Cannery Co., claimant, having appeared and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be re-delivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5105. Adulteration of pork and beans. U. S. \* \* \* v. 75 Cases \* \* \* of Pork and Beans. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 7366. I. S. No. 12448-I. S. No. C-505.)**

On April 29, 1916, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 75 cases, each containing 2 dozen cans of pork and beans, remaining unsold in the original unbroken packages at Peoria, Ill., alleging that the article had been shipped on November 26, 1915, by the Wisconsin Pea Cannery Co., Manitowoc, Wis., and transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Eureka Brand High Grade Pure Food Products Pork and Beans Quality Guaranteed \* \* \*."

It was charged in substance in the libel that the article was adulterated for the reason that it consisted in part of a decomposed vegetable substance.

On October 26, 1916, the said Wisconsin Pea Cannery Co., claimant, having appeared and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be redelivered to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5196. Adulteration of dried fruit (peaches). U. S. \* \* \* v. 244 Boxes and 29 Bags \* \* \* of Dried Fruit. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7372. I. S. No. 10537-1. S. No. C-507.)**

On April 29, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 244 boxes, each containing 50 pounds of dried peaches, and 29 bags, each containing 100 pounds of dried peaches, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on March 28, 1916, by Carroll, Brough, Robinson & Humphrey, Clinton, Okla., and transported from the State of Oklahoma into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that, when it was shipped as aforesaid, it consisted in part of a decomposed vegetable substance; and for the further reason that it consisted in part of a filthy vegetable substance.

On July 17, 1916, the claim and answer to the libel that had been filed having been withdrawn, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5107. Misbranding of lithia water. U. S. \* \* \* v. Henry Schoolbred (Coppahaunk Lithia Springs Co.). Plea of guilty. Fine, \$25. (F. & D. No. 7374. I. S. No. 5171-k.)**

On October 2, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Henry Schoolbred, trading as the Coppahaunk Lithia Springs Co., New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on July 15, 1915, from the State of New York into the State of New Jersey, of a quantity of lithia water which was misbranded. The article was labeled in part: "Coppahaunk Lithia Water \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as milligrams per liter:

Silica ( $\text{SiO}_2$ )	31.7
Sulphuric acid ( $\text{SO}_4$ )	1.7
Carbonic acid ( $\text{CO}_2$ ): None.	
Bicarbonic acid ( $\text{HCO}_3$ )	244.6
Chlorin (Cl)	6.5
Calcium (Ca)	76.8
Magnesium (Mg)	1.3
Sodium (Na) (by difference)	6.6
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	369.2

No weighable amount of lithium in 2 liters.

Hypothetical combinations expressed as milligrams per liter:

Sodium chlorid ( $\text{NaCl}$ )	10.7
Sodium sulphate ( $\text{Na}_2\text{SO}_4$ )	2.5
Sodium bicarbonate ( $\text{NaHCO}_3$ )	5.8
Magnesium bicarbonate ( $\text{Mg}(\text{HCO}_3)_2$ )	7.8
Calcium bicarbonate ( $\text{Ca}(\text{HCO}_3)_2$ )	310.7
Silica ( $\text{SiO}_2$ )	31.7
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	369.2

Misbranding of the article was alleged in the information for the reason that the statement, to wit, lithia water, borne on the label regarding it and the ingredients and substances contained therein, was false and misleading in that it indicated that said article was lithia water; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was lithia water, whereas, in truth and in fact, it was not.

On November 20, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5108. Adulteration and misbranding of cognac. U. S. \* \* \* v. Beno C. Samuel, Sanford Samuel, and Lawrence Samuel (Samuel Bros. & Co.). Pleas of guilty. Fine, \$20. (F. & D. No. 7379. I. S. No. 4835-k.)**

On July 17, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Beno C. Samuel, Sanford Samuel, and Lawrence Samuel, trading as Samuel Bros. & Co., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on December 22, 1914, from the State of New York into the State of New Jersey, of a quantity of cognac which was adulterated and misbranded. The article was labeled in part: (On cap) "Cognac." (Label) "Leumas' Freres' et Cie Cognac."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results, expressed as grams per hectoliter to 100 proof alcohol unless otherwise noted:

Alcohol (per cent by volume) .....	43.78
Proof (degrees) .....	87.6
Solids .....	283.3
Ash .....	8.6
Total acid as acetic .....	27.4
Esters as ethyl acetate .....	26.1
Aldehydes as acetaldehyde .....	6.4
Furfural .....	0.3
Fusel oil as amyl alcohol .....	27.1

Product consists to a large extent of neutral spirits.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, neutral spirits, had been substituted in whole or in part for cognac brandy, which the article purported to be.

Misbranding was alleged for the reason that the following statements regarding the article and the ingredients and substances contained therein, appearing on the label and cap, to wit: (On label) "Leumas' Freres' et Cie Cognac" and (on cap) "Cognac," together with the representation of three stars on said label, not corrected by the statement in inconspicuous type appearing thereon, to wit, "Type," were false and misleading, in that they indicated to purchasers thereof that the said article was cognac brandy produced in the Cognac District, Republic of France, and that the said article had been produced by Leumas' Freres' et Cie.; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchasers into the belief that it was cognac brandy produced in the Cognac District, Republic of France, and that the said article had been produced by Leumas' Freres' et Cie., when, in truth and in fact, it was not, but was, to wit, a product consisting in whole or in part of neutral spirits and had been produced by, to wit, Samuel Bros. & Co. Misbranding was alleged for the further reason that the article was a domestic product, and had been produced in the United States of America, and purported to be a foreign product, to wit, a product of the Republic of France.

On November 6, 1916, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$20.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5109. Adulteration of tomato pulp. U. S. \* \* \* v. William P. Andrews (Andrews Packing Co.). Plea of nolo contendere. Fine, \$10 and costs. (F. & D. No. 7380. I. S. No. 3127-k.)**

On October 10, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William P. Andrews, trading as Andrews Packing Co., Crapo, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about March 5, 1915, from the State of Maryland into the State of Virginia of a quantity of Asquith brand tomato pulp which was adulterated. The article was labeled: "Asquith Brand Tomato Pulp. Made from tomatoes and fresh tomato trimmings with great care. Contents weigh 10 oz. Asquith Brand. Packed by Andrews Packing Co., Crapo, Md."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the product to be a partially decomposed vegetable product.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On October 10, 1916, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$10 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5110. Misbranding of "Brazilian Balm." U. S. \* \* \* v. 52 Cartons \* \* \* of "Brazilian Balm." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7382. I. S. No. 2551-L. S. No. E-594.)**

On May 1, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 52 cartons, containing 52 dozen packages of "Brazilian Balm," consigned by B. F. Jackson & Co., Arcade, N. Y., and remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about March 27, 1916, and transported from the State of New York into the State of Pennsylvania and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (On cases) "Brazilian Balm Natures Remedy for Coughs, Colds, Grippe, Croup, Hay Fever, Catarrh, Asthma Price 25 cents \* \* \*." (On carton) "Brazilian Balm Natures Remedy for coughs, \* \* \* family medicine \* \* \* For outward use \* \* \*." (Bottle label) "Brazilian Balm \* \* \* Wonderful healing \* \* \*." (Circular) "Brazilian Balm \* \* \* prevents pneumonia or cures it in 3 or 4 days."

Misbranding of the article was alleged in the libel for the reason that the statements regarding the curative or therapeutic effects of said article and the ingredients or substances contained therein were false and fraudulent, in that said article would not produce the curative or therapeutic effects which purchasers were led to expect by the statements which were applied to said article with a knowledge of their falsity for the purpose of defrauding purchasers thereof.

On August 28, 1916, B. F. Jackson & Co., Arcade, N. Y., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

*CARL VROOMAN, Acting Secretary of Agriculture.*



**5111. Misbranding of Tweed's brand pure malt whisky. U. S. \* \* \* v. E. G. Lyons & Raas Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 7385. I. S. No. 9836-h.)**

At the July, 1916, term of the District Court of the United States for the Northern District of California the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in said district court an information against the E. G. Lyons & Raas Co., a corporation, San Francisco, Cal., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 15, 1914, from the State of California into the State of Oregon, of a quantity of an article labeled in part, "Tweed's Brand Pure Malt Whiskey \* \* \* Distilled by the most approved Canadian Method \* \* \*," which was misbranded.

It was charged in substance in the information that the article was misbranded in that the statements borne on the label regarding the article and the ingredients and substances contained therein were false and misleading in that they falsely represented that it was Canadian whisky manufactured by the Tweed Pure Malt Whiskey Co., and deceived and misled the purchaser into the belief that it was Canadian whisky manufactured by the Tweed Pure Malt Whiskey Co., whereas in truth and in fact it was not, but was a whisky produced in the United States by the said defendant company. Misbranding was alleged for the further reason that the statement on the label of the article, to wit, "Pure Malt Whiskey Distilled by the most approved Canadian Method," purported that said article was a foreign product, to wit, a Canadian whisky, whereas, in truth and in fact, it was not, but was a whisky produced in the United States.

On October 21, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5112. Adulteration of tomato pulp. U. S. \* \* \* v. 5,000 Cans \* \* \*  
Tomato Pulp. Default decree of condemnation, forfeiture, and  
destruction. (F. & D. No. 7386. I. S. No. 13006-L. S. No. C-513.)

On May 2, 1916, the United States attorney for the district of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5,000 cans, each containing 1 gallon of tomato pulp, remaining unsold in the original unbroken packages at Norfolk, Nebr., alleging that the article had been shipped on or about February 23, 1916, by the Ladoga Canning Co., Ladoga, Ind., and transported from the State of Indiana into the State of Nebraska, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a partially decomposed vegetable product.

On October 26, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5113. Adulteration of pork and beans. U. S. \* \* \* v. 400 Cases \* \* \***  
**Pork and Beans. - Default decree of condemnation, forfeiture, and**  
**destruction. (F. & D. No. 7389. I. S. No. 10092-1. S. No. C-503.)**

On May 2, 1916, the United States attorney for the District of Nebraska, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 cases, each containing 2 dozen cans of pork and beans, remaining unsold in the original unbroken packages at Norfolk, Nebr., alleging that the article had been shipped on or about February 15, 1916, by the Norfolk Packing Co., Norfolk, Nebr., and transported from the State of Nebraska into the State of Kansas, and thereafter, pursuant to instructions from said consignor, was reshipped from the State of Kansas into the State of Nebraska, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Harvest Gems brand with tomato sauce, pork and beans. \* \* \*"

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On October 26, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5114. Adulteration of beans. U. S. \* \* \* v. 50 Cases \* \* \* Beans \* \* \*. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7390. I. S. No. 12571-1. S. No. C-514.)

On May 2, 1916, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases, each containing 24 cans of beans, remaining unsold in the original unbroken packages at Cleveland, Ohio, alleging that the article had been shipped on or about April 7, 1916, by the Sycamore Preserve Works, Sycamore, Ill., and transported from the State of Illinois into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Plymouth Brand \* \* \* Lunch Beans with tomato sauce \* \* \*."

It was charged in substance in the libel that the article was adulterated for the reason that it consisted in part of a decomposed vegetable matter, the presence of which renders the article a filthy and decomposed vegetable substance unfit for food or as an ingredient of food; and further in that the article was artificially colored in a manner whereby damage and inferiority were concealed.

On October 30, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5115. Adulteration and misbranding of pork and beans. U. S. \* \* \* v. 200 Cases \* \* \* of Pork and Beans. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 7391. I. S. No. 11811-I. S. No. C-515.)**

On May 6, 1916, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 cases, each containing 2 dozen cans of pork and beans, remaining unsold in the original unbroken packages at Leavenworth, Kans., alleging that the article had been shipped on or about March 15, 1916, by the Wisconsin Pea Cannery Co., Manitowoc, Wis., and transported from the State of Wisconsin into the State of Kansas, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Eureka Brand High Grade Pure Food Products Pork and Beans with tomato sauce. Quality Guaranteed \* \* \*."

Adulteration of the article was alleged in substance in the libel for the reason that it contained a large quantity of filthy and decomposed vegetable product and a large quantity of annatto, an artificial coloring matter, all of which had been mixed and packed with and substituted for the pure product in such a manner as to reduce or lower or injuriously affect its quality and strength.

Misbranding was alleged for the reason that the labels on said cases did not truthfully state the correct nature of the contents contained in said cases and cans, and the labels were false and misleading and calculated to induce the purchaser to believe that the article was pure and wholesome, when, in truth and in fact, it was adulterated as hereinbefore set forth.

On February 5, 1917, defaults of all parties having been noted, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal, and that the purchaser should give bond in the sum of \$1,000, conditioned that the product be not sold or offered for sale as human food or otherwise, or transported in interstate commerce, and that the costs of the proceedings should be paid out of the proceeds of the sale.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5116. Adulteration of "Marco Dairy Feed." U. S. \* \* \* v. 208 Sacks of "Marco Dairy Feed." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 324-c. I. S. No. 20824-m.)**

On February 14, 1917, the United States attorney for the Western District of Tennessee, acting upon a report by the Commissioner of Agriculture of the State of Tennessee, authorized by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 208 sacks of "Marco Dairy Feed," alleging that the article had been shipped by the Marco Mills, Pine Bluff, Ark., and transported from the State of Arkansas into the State of Tennessee, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: " \* \* \* Marco Dairy Feed. \* \* \* Ingredients: Alfalfa Meal, Molasses and Hominy Feed Meal."

Adulteration of the article was alleged in the libel for the reason that cottonseed hulls had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and standard, and had been substituted in part for an article purporting to consist of alfalfa meal, molasses, and hominy feed meal.

On February 23, 1917, the said Marco Mills, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5117. Adulteration of "Marco Feed." U. S. \* \* \* v. 400 Sacks of "Marco Feed." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 325-c. I. S. No. 20820-m.)**

On February 13, 1917, the United States attorney for the Western District of Tennessee, acting upon a report by the Commissioner of Agriculture of the State of Tennessee, authorized by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 400 sacks of "Marco Feed," alleging that the article had been shipped by the Marco Mills, Pine Bluff, Ark., and transported from the State of Arkansas into the State of Tennessee, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "\* \* \* Marco Feed. \* \* \* Ingredients: Alfalfa Meal, Molasses, Cracked Corn, Oats."

Adulteration of the article was alleged in the libel for the reason that cottonseed hulls had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and standard and had been substituted in part for an article purporting to consist of alfalfa meal, molasses, cracked corn, and oats.

On February 23, 1917, the Saunders-Blackburn Grocery Co., Memphis, Tenn., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5118. Adulteration of "Marco Dairy Feed." U. S. \* \* \* v. 500 Sacks of "Marco Dairy Feed." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 326-c. I. S. No. 20825-m.)**

On February 15, 1917, the United States attorney for the Western District of Tennessee, acting upon a report by the Commissioner of Agriculture of the State of Tennessee, authorized by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 500 sacks of "Marco Dairy Feed," alleging that the article had been shipped on November 29, 1916, by the Marco Mills, Pine Bluff, Ark., and transported from the State of Arkansas into the State of Tennessee, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Marco Dairy Feed. \* \* \* Ingredients: Alfalfa Meal, Molasses, and Hominy Feed Meal."

Adulteration of the article was alleged in the libel for the reason that cottonseed hulls had been mixed and packed therewith so as to lower, reduce, and injuriously affect its quality and standard and had been substituted in part for an article purporting to consist of alfalfa meal, molasses, and hominy feed meal.

On February 23, 1917, the Saunders-Blackburn Grocery Co., Memphis, Tenn., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

*CARL VROOMAN, Acting Secretary of Agriculture.*



**5119. Adulteration of "Marco Dairy Feed." U. S. \* \* \* v. 240 Sacks of "Marco Dairy Feed." Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 327-c, I. S. No. 11982-m.)**

On February 16, 1917, the United States attorney for the Western District of Tennessee, acting upon a report by the Commissioner of Agriculture of the State of Tennessee, authorized by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 240 sacks of "Marco Dairy Feed," alleging that the article had been shipped on or about January 29, 1917, by the Marco Mills, Pine Bluff, Ark., and transported from the State of Arkansas into the State of Tennessee, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "\* \* \* Marco Dairy Feed. \* \* \* Ingredients: Alfalfa Meal, Molasses and Hominy Feed Meal."

Adulteration of the article was alleged in the libel for the reason that cottonseed hulls had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and standard and had been substituted in part for an article purporting to consist of alfalfa meal, molasses, and hominy feed meal.

On February 23, 1917, the said Marco Mills, claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$250, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5120. Misbranding of "Tablets Creavita." U. S. \* \* \* v. Inter-American Pharmacal Corporation, a corporation. Plea of guilty. Sentence suspended. (F. & D. No. 7393. I. S. No. 2400-k.)**

On July 17, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Inter-American Pharmacal Corp., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on April 2, 1915, from the State of New York into the island of Porto Rico, of a quantity of an article labeled in part: (translation from Spanish) "Tablets Creavita," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted of flat, pink, sugar-coated tablets, containing essentially chromium sulphate, calcium carbonate, phenolphthalein, strychnine, and starch. There were indications of the presence of brucine.

It was charged in substance in the information that the article was misbranded, for the reason that certain statements on the label falsely and fraudulently represented it as effective in the treatment of all nervous affections; as a cure for neurasthenia, impotency, and general debility; and as a cure and preventive of all ailments of the nervous system, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a remedy for nervousness, nervous debility, sexual debility, nervous exhaustion; and effective in the treatment of the peculiar affections of women and all abnormal cases of the feminine system without exception, including irregularity of menstruation, pains caused by the relaxation or dislocation of the uterus, leucorrhea, nervous hysteria, pains in the back and groin, weight of the lower part of the abdomen attributable to affections of the uterus and other analogous causes; and as a remedy for irregular and painful menstruation; and effective for giving life and vigor to the genital organs of women, thus causing all her ailments to disappear and her sufferings to cease, when, in truth and in fact, it was not.

On November 6, 1916, the defendant company entered a plea of guilty to the information, and the court suspended sentence.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5121. Adulteration of pork and beans. U. S. \* \* \* v. 50 Cases \* \* \* of Pork and Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7394. I. S. No. 4509-I. S. No. E-598.)**

On May 3, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of pork and beans, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by Hart Bros., Saginaw, Mich., and transported from the State of Michigan into the State of Pennsylvania, the shipment having been received at Pittsburgh, Pa., on or about February 16, 1916, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (On cans) "Shepherd Brand Pork and Beans with Tomato Sauce, Hart Brothers, Saginaw, Michigan."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted, in whole or in part, of a decomposed vegetable substance.

On July 18, 1916, Hart Bros., Saginaw, Mich., claimants, having consented to a decree, judgment of condemnation and confiscation was entered, and it was ordered by the court that the article should be surrendered to said claimants upon payment of the costs of the proceedings and the execution of a good and sufficient bond in the sum of \$500, in conformity with section 10 of the act.

*CARL VROOMAN, Acting Secretary of Agriculture.*

5122. Misbranding of "Old Lady Fulten's Comforting Pills." U. S. \* \* \*  
v. Sharp & Dohme, a corporation. Plea of guilty. Fine, \$10.  
(F. & D. No. 7409. I. S. No. 4713-k.)

On July 17, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Sharp & Dohme, a corporation, doing business at New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act as amended, on February 16, 1915, from the State of New York into the Island of Porto Rico, of a quantity of an article labeled in part, "Old Lady Fulten's Comforting Pills \* \* \*," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Iron as Fe (per cent)-----	13.0
Strychnine (gram per pill)-----	0.0009
Rhubarb: Indicated.	

The pills are composed essentially of reduced iron, strychnine, and an emodin-bearing drug.

It was charged in substance in the information that the article was misbranded for the reason that certain statements on the label falsely and fraudulently represented it as effective for giving pure blood, good nerves, healthy stomach, robustness, and health, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that certain statements included in the circular or pamphlet accompanying the article falsely and fraudulently represented that it was effective for purifying the blood, as a cure for leucorrhea, amenorrhea, irregularities of the menstrual period of women, exhaustion, tuberculosis, sterility, headache, dyspepsia, gastralgia, ictericia, scrofula, swelling, obesity, tumors on the eyelids, pimples, poor nutrition, and lack of appetite, when in truth and in fact it was not.

On November 8, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5123. Misbranding of "Elastic Capsules." U. S. \* \* \* v. Hance Bros. & White, a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 7411. I. S. No. 17343-k.)**

On July 10, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Hance Bros. & White, a corporation, Philadelphia, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 11, 1915, from the State of Pennsylvania into the State of Washington, of a quantity of an article labeled in part, "Crownall Elastic Capsules C. C. C.," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to be a gelatin capsule containing essentially oil of cubeb and balsam of copaiba.

Misbranding of the article was alleged in substance in the information for the reason that certain statements appearing on its label falsely and fraudulently represented it as effective for the relief and cure of gonorrhea, gleet, and all discharges resulting from an inflamed condition of the urinary passages, when, in truth and in fact, it was not.

\* On September 12, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5124. Misbranding of "Victor Injection," "Victor Remedies \* \* \* No. 19 Compound," and "Victor Remedies \* \* \* No. 6 Compound." U. S. \* \* \* v. Victor Medicine Co., a corporation. Tried to the court and a jury. Verdict of guilty. Fine, \$600. (F. & D. No. 7412. I. S. Nos. 877-h, 878-h, 879-h.)**

On September 13, 1916, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Victor Medicine Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 3, 1914, from the State of Missouri into the State of Texas, of quantities of articles labeled in part, "Victor Injection," "Victor Remedies \* \* \* No. 19 Compound," and "Victor Remedies \* \* \* No. 6 Compound," which were misbranded.

Analysis of a sample of the "Victor Injection" by the Bureau of Chemistry of this department showed it to be an aqueous solution of ichthyol as follows:

Ichthyol (by distillation with alkali) (gram per 100 cc)---- 0.825

(by sulphur determination) (gram per 100 cc)---- 0.866

It was charged in substance in the information that this article was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as the all surpassing remedy for gonorrhea and gleet in both sexes, when in truth and in fact it was not.

Analysis of a sample of the "No. 19 Compound" by said Bureau of Chemistry showed the product to consist essentially of milk sugar (lactose); 0.22 per cent of ash found; synthetic products, arsenic, and alkaloids absent.

It was charged in substance in the information that this article was misbranded for the reason that certain statements, appearing on its label, falsely and fraudulently represented it as a remedy for soft and hard chancre and bubo in both sexes, and effective in all stages of the disease to promote the discharge of pus, reduce the induration, and hasten the healing of the ulcers and bubo, when in truth and in fact it was not.

Analysis of sample of the "No. 6 Compound" by said Bureau of Chemistry showed the product to consist essentially of milk sugar (lactose) with minute trace of arsenic; 0.12 per cent of ash found; synthetic products and alkaloids absent.

It was charged in substance in the information that the article was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as the great remedy for tuberculosis of the lungs or consumption, tuberculosis of the larynx, obstinate coughs, and all inveterate affections of the lungs, larynx, bronchial tubes, and air passages, when, in truth and in fact, it was not.

On October 30, 1916, the case having come on for trial before the court and a jury, after the submission of evidence, arguments by counsel, and the charge of the court, a verdict of guilty was returned by the jury, and the court imposed a fine of \$600.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5125. Misbranding of "Hemogenas Pills." U. S. \* \* \* v. Sharp & Dohme, a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 7413. I. S. No. 4714-k.)**

On July 17, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Sharp & Dohme, a corporation, doing business in New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act as amended, on October 24, 1914, from the State of New York into the island of Porto Rico, of a quantity of an article labeled in part, "Hemogenas Pills \* \* \*," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed these pills to be composed essentially of reduced iron, a small amount of an unidentified alkaloid, an emodin-bearing drug, and phosphorus compounds; rhubarb indicated; strychnine absent.

It was charged in substance in the information that the article was misbranded in that certain statements on its label and included in the circular or pamphlet accompanying it falsely and fraudulently represented it as effective for purifying the blood and as a remedy for general debility, in consequence of exhaustion, palpitations of the heart, headaches, deafness, noise in the ears, seasickness, failing of the menstrual period of women, swellings, poor nutrition, and pimples, when, in truth and in fact, it was not.

On November 8, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5126. Misbranding of "Restorative Tablets 'Fountain of Health.'" U. S. \* \* \* v. Sharp & Dohme, a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 7414. I. S. No. 4715-k.)**

On July 17, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Sharp & Dohme, a corporation, doing business at New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act as amended, on September 8, 1914, from the State of New York into the island of Porto Rico of a quantity of an article labeled in part, "Great restorative tablets 'Fountain of Health' \* \* \*," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of sugar-coated tablets, colored pink on the outside and containing essentially reduced iron, quinine, strychnine, and a drug containing emodin.

It was charged in substance in the information that the article was misbranded in that certain statements appearing on its labels, and included in the circular or pamphlet accompanying it, falsely and fraudulently represented it as a remedy for all diseases of the blood; as an infallible cure for all diseases which come from impoverishment of the blood such as chlorosis, sexual impotence, seasickness, headache, bad digestion, lack of appetite, insomnia, rheumatism, suppression of the menstrual period in women, swellings, cutaneous blotches, palpitations of the heart, and neurasthenia, when, in truth and in fact, it was not.

On November 8, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

**CARL VROOMAN, *Acting Secretary of Agriculture.***



**5127. Adulteration of pork and beans. U. S. \* \* \* v. 125 Cases \* \* \* of Pork and Beans. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 7418. I. S. No. 4511-L. S. No. E-603.)**

On May 9, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 125 cases of pork and beans, consigned by the Wisconsin Pea Cannery Co., Manitowoc, Wis., and remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped and transported from the State of Wisconsin into the State of Pennsylvania, and received at Pittsburgh on or about February 11, 1916, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Eureka Brand High Grade Pure Food Products Pork and Beans with Tomato Sauce Quality Guaranteed."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted, in whole or in part, of a decomposed vegetable substance, unfit for food.

On December 13, 1916, the said Wisconsin Pea Cannery Co., a corporation, claimant, having admitted the allegations contained in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article be redelivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**5128. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 18 Cases \* \* \* 16 Cases \* \* \* and 9 Cases \* \* \* of Oil. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7419. I. S. No. 2566-l. S. No. E-602.)**

On May 9, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 cases, each containing 24 half-gallon cans, 16 cases, each containing 12 one-gallon cans, and 9 cases, each containing 48 quarter-gallon cans, of oil, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about November 17, 1915, by J. Marcus, Newark, N. J., and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (on cans, front and back) "Specialty Lucca Olive Oil Extra 1 Callisto Francesconi Lucca Italy." (On sides) "Olive Oil." (On cases) "Olive Oil Lucca Callisto Francesconi—New York—Italy."

Adulteration was alleged in the libel for the reason that the article contained at least 25 per cent of cottonseed oil, and that cottonseed oil had been substituted wholly or in part for said article.

Misbranding was alleged for the reason that the statement, "Olive Oil," was false and misleading; and for the further reason that said article was an imitation of and offered for sale under the distinctive name of another article, to wit, olive oil, when it was not such; and for the further reason that it was labeled and branded so as to deceive and mislead the purchaser in that it purported to be a foreign product, when it was not such.

On August 24, 1916, Adolph L. Zamboni, New York, N. Y., claimant, having filed a claim and stipulation for costs and consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article should be redelivered to said claimant upon paying the costs of the proceedings and the execution of a good and sufficient bond in the sum of \$900, conditioned in part that said article should be properly labeled in accordance with the directions of this department.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5129. Adulteration of pork and beans. U. S. \* \* \* v. 48 Cases \* \* \* of Pork and Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7420. I. S. No. 4512-1, S. No. E-606.)**

On May 9, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 48 cases of pork and beans, consigned by the Beutel Pickling & Canning Co., Bay City, Mich., and remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped and transported from the State of Michigan into the State of Pennsylvania, the shipment having been received on or about March 3, 1916, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Lake Como Brand Pork and Beans."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted, in whole or in part, of a decomposed vegetable substance unfit for food.

On June 10, 1916, the Beutel Pickling & Canning Co., Bay City, Mich., claimant, having entered its appearance and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be surrendered to said claimant company upon payment of all the costs of the proceedings and the execution of a good and sufficient bond, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5130. Misbranding of "Denn's Strong, Sure, Safe and Speedy Stomach, Liver, Kidney and Rheumatism Remedy." U. S. \* \* \* v. Henry Denn (Denn's Rheumatic Care Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 7421. I. S. No. 11301-1.)**

On July 21, 1916, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Henry Denn, trading as Denn's Rheumatic Cure Co., Columbus, Ohio, alleging shipment by said defendant, in violation of the Food and Drugs Act as amended, on or about March 22, 1915, from the State of Ohio into the State of Indiana, of a quantity of an article labeled in part, "Denn's Strong, Sure, Safe and Speedy Stomach, Liver, Kidney and Rheumatism Remedy," which was misbranded.

Analysis of a sample by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	8.2
Solids (per cent)-----	56.8
Sucrose (per cent)-----	50.9
Glycerin: Trace.	
Licorice: Indicated.	
Cascara sagrada: Indicated.	

Misbranding was alleged in the information for the reason that the article contained alcohol and its label failed to bear a statement of the quantity or proportion of alcohol contained therein. It was further charged in substance that the article was misbranded for the reason that certain statements, appearing on its label and included in the circulars accompanying it, falsely and fraudulently represented it as a stomach, liver, kidney, and rheumatism remedy, and effective to remove all headache and dullness caused by disordered kidneys, and to remove rheumatism, headache, and dyspepsia and carry off all impurities of the blood, liver, kidneys, and stomach; as a cure for liver and kidney diseases, and rheumatism; as a remedy for kidney and liver diseases, and rheumatism; and as a cure for every kind of liver, kidney, and stomach trouble, and rheumatism; and as a cure for stomach and blood diseases; and effective in cleansing the blood and in making rich and pure blood, when, in truth and in fact, it was not.

On August 18, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$75 and costs. On August 22, 1916, the court reduced the fine to \$50.

*CARL VROOMAN, Acting Secretary of Agriculture.*



**5131. Misbranding of "Dr. Navaun's Mexican Lung Balm," and "Dr. Navaun's Kidney Tablets." U. S. \* \* \* v. Edward S. and Clifford S. Navaun, copartners (Botanic Drug Co.). Pleas of guilty. Fine, \$50. (F. & D. No. 7423. I. S. Nos. 11253-1, 11254-1.)**

On August 29, 1916, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edward S. and Clifford S. Navaun, copartners, trading as the Botanic Drug Co., Detroit, Mich., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about October 21, 1915, from the State of Michigan into the State of Ohio, of quantities of articles labeled in part, "Dr. Navaun's Mexican Lung Balm" and "Dr. Navaun's Kidney Tablets," which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

**Dr. Navaun's Mexican Lung Balm.**

Solids (per cent) .....	59.1
Sucrose (Clerget) (per cent) .....	45.7
Reducing sugars (per cent) .....	7.7
Chloroform (per cent) .....	0.5
Alcohol (per cent by volume) .....	2.1

Qualitative tests showed the presence of wild cherry and mucilaginous substances and the absence of antimony, ammonium salts, iodids, glycerin, alkaloids, phenolic compounds, acetanilid, benzoic acid, cinnamic acid, and guaiacol. Sample is a sirup containing vegetable extractives and small quantities of chloroform and alcohol.

**Dr. Navaun's Kidney Tablets.**

Total ash (per cent) .....	44.7
Water-insoluble ash (mostly calcium carbonate) (per cent) ..	33.1
Acid-insoluble ash (per cent) .....	1.9
Methylene blue (approximate per cent) .....	2.2
Potassium nitrate (per cent) .....	5.9

Qualitative tests showed the presence of juniper, resinous material, and traces of arsenic. Qualitative tests for each of the following substances were negative: emodin, hexamethylene-tetramine, alkaloids, acetates, iodids, and buchu. Sample consists of sugar-coated tablets containing methylene blue, potassium nitrate, juniper, and a large amount of ash which is chiefly calcium carbonate.

Misbranding of the lung balm was alleged in substance in the information, for the reason that certain statements appearing on its labels falsely and fraudulently represented it as a remedy for croup, bronchitis, whooping cough, and lung complaint; as a never-failing remedy for coughs, colds, hoarseness, and all lung complaints; and as a treatment for lung diseases, when, in truth and in fact, it was not.

Misbranding of the kidney tablets was alleged in substance for the reason that certain statements, appearing on its label, and included in the leaflet and booklet accompanying it, falsely and fraudulently represented it as a specific for kidney diseases; as a cure for kidney complaints, backache, weak and congested kidneys, inflammation of the bladder, and all urinary troubles; as a remedy for backache and rheumatism; as a cure for kidney complaint, all

kinds of dyspepsia, constipation, kidney disease, asthma, eczema, headache, rheumatism, all skin diseases, and insomnia or sleeplessness; and as a remedy for insomnia or sleeplessness, when, in truth and in fact, it was not. Misbranding was alleged in substance, for the further reason that the statement, "This remedy is a vegetable compound," borne on the booklet aforesaid, was false and misleading in that it falsely represented that the article was composed exclusively of vegetable substances, whereas in truth and in fact it was not, but was composed in part of mineral substances.

On August 29, 1916, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5132. Adulteration and misbranding of vinegar. U. S. \* \* \* v. Dawson Brothers Manufacturing Co., a corporation. Plea of guilty. Fine, \$150 and costs. (F. & D. No. 7427. I. S. Nos. 12100-k, 13455-k, 13485-k, 13841-k, 13844-k, 14910-k, 15402-k, 15418-k.)**

On August 7, 1916, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dawson Brothers Manufacturing Co., a corporation, Memphis, Tenn., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 2, 1914, from the State of Tennessee into the State of Illinois; February 24, 1915, from Tennessee into Mississippi; December 1, 1914, from Tennessee into Alabama; March 4, 1915, from Tennessee into Arkansas (2 shipments); January 29, 1915, from Tennessee into Texas; February 27, 1915, from Tennessee into Texas; and April 7, 1915, from Tennessee into Oklahoma, of quantities of vinegar which was adulterated and misbranded. The shipments on December 1, 1914, December 2, 1914, January 29, 1915, February 27, 1915, and March 4, 1915 (2 shipments) were labeled in part: "\* \* \* Southern Beauty Brand Apple Vinegar diluted to 4% acid strength \* \* \*." The shipment on February 24, 1915, was labeled in part: "\* \* \* Circle D Brand \* \* \* Pure Apple Cider \* \* \* Vinegar \* \* \*." The shipment on April 7, 1915, was labeled in part: "\* \* \* Dawson Family Brand Pure Apple Cider Vinegar Diluted to 4% acetic strength \* \* \*."

Analysis of a sample of the article in each shipment showed it to be a mixture of either distilled vinegar or dilute acetic acid and apple vinegar and, except the shipments on February 24, 1915, and April 7, 1915, that it was artificially colored.

Adulteration of the article in all the shipments, except those on February 24, 1915, and April 7, 1915, was alleged in the information for the reason that a certain substance, to wit, distilled vinegar or dilute acetic acid, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength and had been substituted, in whole or in part, for apple vinegar diluted to 4 per cent acid strength, which the article purported to be. Adulteration was alleged for the further reason that the article was an inferior product, consisting of, to wit, a mixture of distilled vinegar or dilute acetic acid and apple vinegar, and was colored in a manner whereby its inferiority to genuine apple vinegar diluted to 4 per cent acid strength was concealed. Adulteration of the article in the shipments on February 24, 1915, and April 7, 1915, was alleged for the reason that a certain substance, to wit, distilled vinegar or dilute acetic acid, had been mixed and packed with the article so as to reduce, lower, and injuriously affect its quality and strength and had been substituted, in whole or in part, for pure apple cider vinegar (or apple cider vinegar diluted to 4 per cent acetic strength), which the article purported to be.

Misbranding of the article in all the shipments was alleged for the reason that the statement regarding it and the ingredients and substances contained therein, appearing on the labels, to wit, "Pure Apple Cider \* \* \* Vinegar" (or "Apple Vinegar diluted to 4% acid strength," or "Apple Cider Vinegar Diluted to 4% acetic strength"), was false and misleading in that it indicated to purchasers thereof that the said article was pure apple cider \* \* \* vinegar (or apple vinegar diluted to 4% acid strength, or apple cider vinegar diluted to 4% acetic strength); and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was pure apple cider \* \* \* vinegar (or apple vinegar diluted to 4% acid strength, or apple cider vinegar diluted to 4% acetic strength), when, in

truth and in fact, it was not, but was, to wit, a mixture of distilled vinegar or dilute acetic acid and apple vinegar. Misbranding was alleged for the further reason that the article was a mixture of, to wit, distilled vinegar or dilute acetic acid and apple vinegar, and was an imitation of and was offered for sale under the distinctive name of another article, to wit, apple (or apple cider) vinegar.

On December 4, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$150 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5133. Adulteration of beans. U. S. \* \* \* v. 23 Bags of \* \* \* Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7431. I. S. No. 11558-1. S. No. C-518.)**

On May 12, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 bags, each containing 160 pounds of beans, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on March 28, 1916, by Amidon Bros., Sparta, Mich., and transported from the State of Michigan into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The bags were unlabeled.

Adulteration of the article was alleged in the libel for the reason that, when it was so shipped as aforesaid, it consisted in part of a decomposed vegetable substance; and for the further reason that it consisted in part of a filthy vegetable substance.

On June 29, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**5134. Adulteration and misbranding of pepper. U. S. \* \* \* v. C. F. Blanke Tea & Coffee Co., a corporation. Plea of guilty. Fine, \$60. (F. & D. No. 7433. I. S. Nos. 13820-k, 13825-k, 14817-k.)**

On September 20, 1916, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the C. F. Blanke Tea & Coffee Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on or about October 15, 1914, February 19, 1915, and February 27, 1915, from the State of Missouri into the State of Illinois, of quantities of pepper which were adulterated and misbranded. The first shipment was labeled in part: "\* \* \* Strictly Pure Black Pepper \* \* \*"; the second shipment was labeled in part: "\* \* \* Pure Black Pepper \* \* \*"; the third shipment was labeled in part: "\* \* \* Strictly Pure Spices Black Pepper \* \* \*."

Analysis of a sample of the article in each shipment, by the Bureau of Chemistry of this department indicated that it contained added pepper shells.

Adulteration of the article in each shipment was alleged in the information for the reason that pepper shells had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for strictly pure black pepper (or pure black pepper), which the article purported to be.

Misbranding was alleged for the reason that the following statement regarding the article and the ingredients and substances contained therein borne on the labels, to wit, "Strictly Pure Black Pepper" (or "Black Pepper," or "Strictly Pure Spices Black Pepper," as the case might be), was false and misleading in that it indicated to the purchasers thereof that the said article was strictly pure black pepper (or pure black pepper), and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was strictly pure black pepper (or pure black pepper), when, in truth and in fact, it was not, but was, to wit, a mixture of black pepper and added pepper shells. Misbranding was alleged for the further reason that the article was, to wit, a mixture of black pepper and added pepper shells, and was offered for sale under the distinctive name of another article, to wit, strictly pure black pepper (or pure black pepper).

On October 27, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$60.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**5135. Adulteration and misbranding of pork and beans. U. S. \* \* \* v. 100 Cases of Pork and Beans. Tried to the court and a jury. Verdict for Government by direction of court. Judgment of condemnation, forfeiture, and destruction. (F. & D. No. 7436. I. S. No. 15108-1. S. No. C-519.)**

On May 16, 1916, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 cases of pork and beans, remaining unsold in the original unbroken packages at Milwaukee, Wis., alleging that the article had been shipped on or about January 22, 1916, by the Oceana Canning Co., Shelby, Mich., and transported from the State of Michigan into the State of Wisconsin, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a decomposed vegetable substance.

Misbranding was alleged in substance that the statement regarding the article, borne on the cans containing it, to wit, "Select Quality," was false and misleading in that said article consisted in part of a decomposed vegetable substance, and was of inferior and not of select quality; and for the further reason that it was labeled as aforesaid in such form and display as to give the impression and to deceive and mislead the purchaser into the false and mistaken impression and belief that it was pork and beans of a select and superior quality, whereas, in truth and in fact, it was not, but was an article consisting in part of a decomposed vegetable substance, and was a product of very inferior quality.

On July 24, 1916, the said Oceana Canning Co., claimant, filed its answer to the libel and on December 4, 1916, the case was brought on for trial before the court and a jury. No appearance for the libelee having been made at the trial, after the submission of evidence by the Government, the court directed the jury to find for the libellant. Thereupon, on December 5, 1916, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal and that the costs of the proceeding, taxed in the sum of \$233.54, should be paid by said claimant.

*CARL VROOMAN, Acting Secretary of Agriculture.*

5136. Misbranding of "Dr. Chas. De Grath's Electric Oil 'King of Pain.'" U. S. \* \* \* v. Margaret Hutton Kemp et al. (Lanman & Kemp). Plea of guilty. Fine, \$20. (F. & D. No. 7438. I. S. No. 4704-k.)

On July 14, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Margaret Hutton Kemp, Samuel H. Ordway, and Edward C. Mears Kemp, executors of the estate of George William Kemp, etc., trading as Lanman & Kemp, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act as amended, on December 27, 1914, from the State of New York into the Island of Porto Rico, of a quantity of an article labeled in part, "Dr. Chas. De Grath's Electric Oil 'King of Pain,'" which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of fixed saponifiable oil or oils, turpentine, oil of cinnamon, ammonium compounds, and 0.139 gram of chloroform per 100 cc or 4.5 minims per fluid ounce, with indications of the presence of a small amount of mineral oil.

It was charged in substance in the information that the article was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as a safe and efficient remedy for rheumatism, neuralgia, lumbago, deafness, paralysis, headache, sore throat, scrofula, salt rheum, sprains, pains, and aches generally; and for the further reason that certain statements, included in the circular or pamphlet accompanying the article, falsely and fraudulently represented it as a specific for rheumatism, neuralgia, gout, lumbago, sciatica, stiff neck, sore joints, pain in the back, limbs, sides, and chest, sprains, bites of poisonous reptiles, inflamed breasts, and sore nipples, and as a remedy for pains accompanying fevers and malignant diseases, cholera, and all sorts of pains and inflammatory swellings, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the package of the article failed to bear a statement on the label of the quantity or proportion of chloroform contained therein.

On November 6, 1916, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$20.

CARL VROOMAN, *Acting Secretary of Agriculture.*



'5137. Adulteration of tomato ketchup. U. S. \* \* \* v. 770 Cases of Tomato Ketchup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7441. I. S. Nos. 20663-1, 20664-1. S. No. W-93.)

On May 18, 1916, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 770 cases of tomato ketchup, consigned, October 10, 1914, and January 14, 1915, by the Naboth Vineyards, Brocton, N. Y., and remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped and transported from the State of New York to the State of Colorado, and charging adulteration, in violation of the Food and Drugs Act. The bottles in 685 cases were labeled in part: "Naboth Brand Tomato Catsup, Naboth Vineyards, Brocton, N. Y." The bottles in 85 cases were labeled in part: "De Luxe Tomato Catsup, Naboth Vineyards, Brocton, N. Y."

Adulteration of the article was alleged in substance in the libel, for the reason that it consisted in part of a decomposed vegetable substance.

On August 2, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



5138. Adulteration and misbranding of "Marischino Yochim Freres Liqueur Cordiale." U. S. \* \* \* v. Yochim Brothers Co., Ltd., a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 7442. I. S. No. 1836-k.)

On December 15, 1916, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Yochim Brothers Co., Ltd., a corporation, New Orleans, La., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 16, 1914, from the State of Louisiana into the State of Georgia, of a quantity of an article labeled in part, "Marischino Yochim Freres Liqueur Cordiale," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	26.0
Benzaldehyde (gram per 100 cc)-----	0.008
Anise oil: Present.	
Organoleptic test: Strong taste and odor of anise, entirely unlike maraschino.	

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, a product other than maraschino, artificially flavored, had been substituted, in whole or in part, for maraschino, which the article purported to be.

Misbranding was alleged for the reason that the statement regarding the article and the ingredients and substances contained therein appearing on its label, to wit, "Marischino," was false and misleading in that it indicated to the purchasers thereof that the said article was genuine maraschino; and for the further reason that the article was labeled, "Marischino," so as to deceive and mislead purchasers into the belief that it was genuine maraschino, when in truth and in fact it was not, but was, to wit, a product artificially flavored in imitation of maraschino. Misbranding was alleged for the further reason that the article was, to wit, a product other than maraschino, artificially flavored, and was an imitation of, and was offered for sale under the distinctive name of another article, to wit, maraschino. Misbranding was alleged for the further reason that the statement regarding the article and the ingredients and substances contained therein, appearing on its label, to wit, "By volume 18 per cent alcohol," was false and misleading in that it indicated to purchasers thereof that the article contained not more than 18 per cent of alcohol, and for the further reason that it was labeled, "By volume 18 per cent alcohol," so as to deceive and mislead purchasers into the belief that it contained not more than 18 per cent of alcohol, when, in truth and in fact, it contained more than 18 per cent of alcohol, to wit, 26 per cent thereof. Misbranding was alleged for the further reason that the article was a domestic product and had been manufactured in the United States of America, to wit, in the city of New Orleans, State of Louisiana, and purported to be a foreign product, to wit, a product of the Republic of France.

On January 23, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5139. Adulteration and misbranding of oats. U. S. \* \* \* v. Sebastian Zorn and Thomas G. Williams (S. Zorn & Co.). Plea of guilty. Fine, \$300 and costs.** (F. & D. No. 7444. I. S. Nos. 11689-k, 14675-k, 14680-k, 14682-k, 15835-k, 15962-k, 15963-k, 16104-k, 16157-k, 16161-k, 16163-k.)

On September 20, 1916, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Sebastian Zorn and Thomas G. Williams, trading as S. Zorn & Co., Louisville, Ky., alleging shipment by said company, in violation of the Food and Drugs Act, on or about April 28, 1915, May 27, 1915, June 22, 1915, and June 24, 1915, from the State of Kentucky into the State of Virginia of quantities of oats which were adulterated and misbranded.

Analyses of a sample of the article in each shipment by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed with said article so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for oats, which the said article purported to be.

Misbranding was alleged for the reason that said article consisted of, to wit, a mixture of oats and water and was offered for sale under the distinctive name of another article, to wit, number 2 white oats.

On October 2, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$300 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5140. Adulteration of pork and beans. U. S. \* \* \* v. 50 Cases of Pork and Beans. Default decree. Product ordered destroyed. (F. & D. No. 7449. I. S. No. 602-l. S. No. E-620.)**

On May 19, 1916, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of pork and beans, remaining unsold in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by Cortland Beef Co., Cortland, N. Y., and transported from the State of New York into the State of Pennsylvania, the shipment having been received on or about December 6, 1915, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Park Brand Pork and Beans with tomato sauce. Thomas Canning Co., Grand Rapids, Mich."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, to wit, filthy, decomposed, and putrid beans.

On October 20, 1916, no claimant having appeared for the property, and a petition having been filed by the United States attorney for an order of confiscation and destruction, it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5141. Adulteration of pork and beans. U. S. \* \* \* v. 50 Cases of Pork and Beans. Default decree. Product ordered destroyed. (F. & D. No. 7451. I. S. No. 609-1. S. No. E-622.)**

On May 26, 1916, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases of pork and beans, remaining unsold in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by the Gibson Canning Co., Gibson City, Ill., and transported from the State of Illinois into the State of Pennsylvania, the shipment having been received on or about June 17, 1915, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Full Can Brand Beans with tomato sauce. Packed by Gibson Canning Company, Gibson City, Illinois."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, to wit, filthy, decomposed, and putrid beans.

On October 20, 1916, no claimant having appeared for the property, and a petition having been filed by the United States attorney for an order of confiscation and destruction, it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5142. Adulteration of beans. U. S. \* \* \* v. 18 Cases of Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7453. I. S. No. 12455-1. S. No. C-527.)**

On May 19, 1916, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 cases, each containing 24 cans of beans, remaining unsold in the original unbroken packages at Kenosha, Wis., alleging that the article had been shipped, on or about April 1, 1916, by the Cleveland Pure Food Co., Chicago, Ill., and transported from the State of Illinois into the State of Wisconsin, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "\* \* \* American Brand Beans with Tomato Sauce \* \* \*." Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On October 27, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5143. Adulteration of beans. U. S. \* \* \* v. 25 Cases of Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7454. I. S. No. 12454-1. S. No. C-525.)**

On May 19, 1916, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases, each containing 24 cans of beans, remaining unsold in the original unbroken packages at Racine, Wis., alleging that the article had been shipped, on or about May 8, 1916, by the Cleveland Pure Food Co., Chicago, Ill., and transported from the State of Illinois into the State of Wisconsin, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "\* \* \* American Brand Beans with Tomato Sauce \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On October 27, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5144. Adulteration of oats. U. S. \* \* \* v. 1,750 Bushels of Oats. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7455. I. S. No. 4215-1. S. No. E-614.)**

On May 20, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1,750 bushels of oats, consigned on or about February 21, 1916, and remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by A. Kempner & Co., Chicago, Ill., and transported from the State of Illinois into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that barley and burnt oats had been mixed and packed therewith so as to reduce and lower and injuriously affect the quality and strength of said article, and had been substituted wholly or in part therefor.

On July 20, 1916, Thomas Lenane, New York, N. Y., claimant, having filed his answer admitting the allegations in the libel and consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article be delivered to said claimant, upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that said article should not be sold or labeled otherwise than as containing at least 13 per cent of barley and at least 22 per cent of bin-burnt oats.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5145. Adulteration of olives. U. S. \* \* \* v. 6 Barrels of Olives. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7456. I. S. Nos. 12916-1, 12917-1. S. No. C-528.)

On May 22, 1916, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 barrels of olives, approximating 1,470 pounds, consigned on April 1, and April 8, 1916, and remaining unsold in the original unbroken packages at Detroit, Mich., alleging that the article had been shipped by Moscahlades Bros., New York, N. Y., and transported from the State of New York into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, and was unfit and improper for use as food.

On October 20, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5146. Adulteration of olives. U. S. \* \* \* v. 2 Barrels of Olives. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7457. I. S. No. 12915-1. S. No. C-526.)

On May 22, 1916, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 barrels of olives, approximating 490 pounds, consigned on or about April 16, 1916, and remaining unsold in the original unbroken packages, at Detroit, Mich., alleging that the article had been shipped by Moscahlades Bros., New York, N. Y., and transported from the State of New York into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance and was unfit and improper for use as food.

On October 20, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5147. Adulteration of pork and beans. U. S. \* \* \* v. 135 Cases \* \* \* of Pork and Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7458. I. S. No. 4519-L. S. No. E-624.**

On May 23, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 135 cases of pork and beans consigned by the Beutel Pickling & Canning Co., Bay City, Mich., and remaining unsold in the original unbroken packages at Braddock, Pa., alleging that the article had been shipped on or about February 28, 1916, and transported from the State of Michigan into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Michigan Beans with Pork and Tomato Souce \* \* \*. Beutel Pickling & Canning Co., Bay City, Michigan."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance unfit for food.

On June 20, 1916, the Beutel Pickling & Canning Co., Bay City, Mich., claimant, having entered its appearance and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be surrendered to said claimant company upon payment of all the costs of the proceedings and the execution of bond in the sum of \$500, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5148. Adulteration and misbranding of so-called purified wool fat. U. S. \* \* \* v. 2 Cases \* \* \* and 20 \* \* \* 14 \* \* \* and 12 \* \* \* Cans \* \* \* of Purified Wool Fat. Consent decrees of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 7463. I. S. Nos. 610-1, 611-1, 612-1, 613-1. S. Nos. E-617-a and b.)

On May 25, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 2 cases, each containing 50 one-pound cans, 20 one-pound cans, and 2 batches, consisting of 14 and 12 fifty-pound cans, respectively, of a product purporting to be purified wool fat, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on March 28, 1916, and April 19, 1916, by the Hilton Chemical Co., Baltimore, Md., and transported from the State of Maryland into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. Two of the 50-pound cans were labeled: "Lord Baltimore Brand Lanum Anhydrous Specially prepared for use in pharmacy and medicine,—as in ointments, creams, etc." The remaining 50-pound cans were labeled: "Purified Wool Fat Lord Baltimore Brand Lanum Adeps Lanae Hydrosus (U. S. P.) Neutral and Non-Irritating Ointment and Cream Base. Made in Baltimore. Hilton Chemical Co., Incorporated Baltimore, Md." The 20 one-pound cans were labeled: "Lord Baltimore Brand Lanum Anhydrous Specially prepared for use in Pharmacy and Medicine,—as in ointments, creams, etc. One pound Purified Wool Fat Lord Baltimore Brand Lanum Anhydrous Neutral and Non-Irritating Ointment and Cream Base Made in Baltimore. Hilton Chemical Co., Incorporated Baltimore, Md." The 2 cases, each containing 50 one-pound cans, were labeled: "One Pound Purified Wool Fat (Hydrous) Lord Baltimore Brand (Adeps Lanum Hydrous) Neutral and Non-Irritating Ointment and Cream Base Made in Baltimore Hilton Chemical Co., Incorporated Baltimore, Md. Lord Baltimore Brand Purified Wool Fat (Hydrous) also known as Adeps Lanum Hydrous Specially prepared for use in pharmacy and medicine—as in ointments, creams, etc."

Adulteration of the article was alleged in the libels for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and it differed from the standard of strength, quality, and purity, as determined by the test laid down in said Pharmacopœia, and neither the strength, quality, nor purity was stated upon the containers thereof. Adulteration was alleged for the further reason that the article was sold as lanum or purified wool fat, whereas it contained 50 per cent of petroleum products, and thereby fell below the professed standard and quality under which it was sold.

Misbranding was alleged for the reason that the article was labeled, "Lanum" or "Purified Wool Fat," when it was not such, and said statements were false and misleading. Misbranding was alleged for the further reason that the article was an imitation of and offered for sale under the name of another article, to wit, lanum or purified wool fat, when in fact it was not such.

On July 20, 1916, the said Hilton Chemical Co., claimant, having admitted the truth of the allegations in the libels and consented to decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be released and delivered to said claimant upon payment of all the costs of the proceedings and the execution of bond in the aggregate sum of \$750, in conformity with section 10 of the act, conditioned in part that the goods, after their release and delivery to the claimant, should be shipped to said claimant at Baltimore, and that the goods should not be reshipped or sold or otherwise disposed of without a label approved by the proper official or officials of the Department of Agriculture.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5149. Misbranding of "Stuart's Calcium Wafer Compound." U. S. \* \* \* v. 12 Dozen Packages \* \* \* of "Stuart's Calcium Wafer Compound." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7465. I. S. No. 11559-1. S. No. C-530.)

On May 27, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 dozen packages of "Stuart's Calcium Wafer Compound" consigned by F. A. Stuart Co., Marshall, Mich., and remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on March 25, 1916, and transported from the State of Michigan into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Stuart's Calcium Wafer Compound. \* \* \* perfectly harmless \* \* \*."

It was charged in substance in the libel that the article was misbranded for the reason that statements on the label and in the circular accompanying it were false and misleading in that they represented that the article contained no poisonous substance, whereas the article did contain a poisonous substance, to wit, strychnine. Misbranding was alleged for the further reason that statements regarding the curative or therapeutic effects of the article appearing on the box wrapper, box label, and in the circular accompanying each of the packages falsely and fraudulently represented that the article was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for the several diseases, affections, and conditions set forth in said statements, whereas, in truth and in fact, it was not.

On July 6, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5150. Adulteration and misbranding of pork and beans. U. S. \* \* \* v. 30 Cases of Pork and Beans. Default decree. Product ordered destroyed. (F. & D. No. 7468. I. S. No. 460-l. S. No. E-630.)**

On May 19, 1916, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 cases of pork and beans remaining unsold in the original unbroken packages at Williamsport, Pa., alleging that the article had been shipped by Hart Bros., Saginaw, Mich., and transported from the State of Michigan into the State of Pennsylvania, the shipment having been received on or about April 13, 1916, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Saginaw Brand Beans with Pork and Tomato Sauce, contents 1 lb. 12 oz. \* \* \* Packed by Hart Brothers, Saginaw, Mich."

Adulteration of the article was alleged in the libel for the reason that it consisted, in whole or in part, of a decomposed vegetable substance, to wit, partly decomposed beans.

Misbranding was alleged for the reason that the contents of the cans did not weigh 1 pound and 12 ounces, as set forth on the label, but was, in truth and in fact, 4.3 per cent short weight.

On October 20, 1916, no claimant having appeared for the property, and a petition having been filed by the United States attorney for an order of confiscation and destruction, it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

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# United States Department of Agriculture,

## BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

### SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 5151-5200.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 22, 1918.]

#### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**5151. Adulteration and misbranding of fluid extract for creme de menthe.**  
U. S. \* \* \* v. Antonio Valsecchi. Plea of guilty. Fine, \$5.  
(F. & D. No. 7470. I. S. No. 17838-k.)

On July 22, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Antonio Valsecchi, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on January 15, 1915, from the State of New York into the State of Utah, of a quantity of an article labeled in part: "Fluid Extract for Creme de Menthe," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ethyl alcohol (per cent by volume)-----	4.0
Methyl alcohol (per cent by volume)-----	63.8
Essential oil (per cent by volume)-----	11.0
Total solids (mostly dye) (gram per 100 cc)-----	0.87
Color: Dark green; coal-tar dye, cyanole 6 G.	

Qualitative tests for oil of peppermint: Positive.

Product consists essentially of a solution of oil of peppermint in diluted methyl alcohol, colored green with a prohibited coal-tar dye.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, methyl alcohol, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength; and for the further reason that it contained an added poisonous and deleterious ingredient, to wit, methyl alcohol, which might render it injurious to health.

Misbranding was alleged for the reason that the article consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On November 13, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5152. Adulteration and misbranding of fluid extract for cognac fin-champagne. U. S. \* \* \* v. Antonio Valsecchi. Plea of guilty. Fine, \$5. (F. & D. No. 7471. I. S. No. 17839-k.)**

On June 22, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Antonio Valsecchi, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on January 15, 1915, from the State of New York into the State of Utah, of a quantity of an article labeled in part: "\* \* \* Fluid extract for cognac fin-champagne \* \* \*," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ethyl alcohol (per cent by volume)-----	1.9
Methyl alcohol (per cent by volume)-----	61.8
Total solids (grams per 100 cc)-----	16.8
Nonsugar solids (largely caramel) (grams per 100 cc)-----	6.9
Total sugars as invert (grams per 100 cc)-----	9.9
Color: Dark brown, due to caramel.	

Odor indicates small amount of artificial flavoring matter. Product consists essentially of a solution of sugar, caramel, and flavoring material in diluted methyl alcohol.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, methyl alcohol, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength; and for the further reason that it contained an added poisonous and deleterious ingredient, to wit, methyl alcohol, which might render it injurious to health.

Misbranding was alleged for the reason that the article consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On November 13, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5153. Adulteration and misbranding of fluid extract for Swiss liquor.**  
 U. S. \* \* \* v. Antonio Valsecchi. Plea of guilty. Fine, \$5.  
 (F. & D. No. 7472. I. S. No. 17840-k.)

On June 22, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against Antonio Valsecchi, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on January 15, 1915, from the State of New York into the State of Utah, of a quantity of an article labeled in part: "Fluid Extract for Swiss Liquor," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ethyl alcohol (per cent by volume)-----	4.9
Methyl alcohol (per cent by volume)-----	66.1
Essential oil (per cent by volume)-----	29.6
Total solids (mostly dye) (grams per 100 cc)-----	1.6

Product consists essentially of a solution of oil of wormwood with a small amount of oil of peppermint in methyl alcohol, and is colored dark green with a prohibited coal-tar dye.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, methyl alcohol, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength; and for the further reason that it contained an added poisonous and deleterious ingredient, to wit, methyl alcohol, which might render it injurious to health.

Misbranding was alleged for the reason that the article consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On November 13, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5154. Adulteration and misbranding of fluid extract for mastika. U. S. \* \* \* v. Antonio Valsecchi. Plea of guilty. Fine, \$5. (F. & D. No. 7473. I. S. No. 17837-k.)

On June 22, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Antonio Valsecchi, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on January 15, 1915, from the State of New York into the State of Utah, of a quantity of an article labeled in part: " \* \* \* Fluid Extract for Mastika \* \* \*," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ethyl alcohol (per cent by volume)-----	2.0
Methyl alcohol (per cent by volume)-----	67.2
Essential oil (per cent by volume)-----	29.8
Total solids (mostly resinous matter from oil) (grams per 100 cc)-----	3.4

Qualitative tests for oil of fennel: Positive.

Product consists essentially of a solution of oil of fennel in methyl alcohol.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, methyl alcohol, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength; and for the further reason that it contained an added poisonous and deleterious ingredient, to wit, methyl alcohol, which might render it injurious to health.

Misbranding was alleged for the reason that the article consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On November 13, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5155. Adulteration and misbranding of fluid extract for white peppermint. U. S. \* \* \* v. Antonio Valsecchi. Plea of guilty. Fine, \$5. (F. & D. No. 7474. I. S. No. 17842-k.)**

On June 22, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Antonio Valsecchi, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act as amended, on January 15, 1915, from the State of New York into the State of Utah, of a quantity of an article labeled in part: "Fluid Extract for White Peppermint \* \* \*," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ethyl alcohol (per cent by volume)-----	4.0
Methyl alcohol (per cent by volume)-----	75.7
Oil of peppermint (per cent by volume)-----	20.0

Product is essentially a solution of oil of peppermint in methyl alcohol.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, methyl alcohol, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength; and for the further reason that the article contained an added poisonous and deleterious ingredient, to wit, methyl alcohol, which might render it injurious to health.

Misbranding was alleged for the reason that the article consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On November 13, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5156. Adulteration of pork and beans. U. S. \* \* \* v. 192 Cases of Pork and Beans. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 7476. I. S. No. 3002-1. S. No. E-632.)**

On May 31, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 192 cases of pork and beans consigned by C. C. MacDonald, trading as Elyria Canning Co., Elyria, Ohio, remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the product had been shipped on or about April 24, 1916, and transported from the State of Ohio into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Crystal Brand Pork and Beans with tomato sauce."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On July 14, 1916, the said C. C. MacDonald, claimant, having filed his answer, admitting the averments of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article should be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$500, in conformity with section 10 of the act, conditioned in part that the said article should be denatured and relabeled and not be sold or used as a food product.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5157. Adulteration of oysters. U. S. \* \* \* v. George Thompson and Joseph U. Thompson (George Thompson & Son). Pleas of guilty. Fine, \$5. (F. & D. No. 7478. I. S. Nos. 1664-1, 1695-1, 1698-1, 4117-1.)**

On July 14, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against George Thompson and Joseph U. Thompson, trading as George Thompson & Son, New York, N. Y., alleging shipments by said defendants, in violation of the Food and Drugs Act, on December 15, 1915, January 11, 1916, January 19, 1916, and February 2, 1916, from the State of New York into the State of Pennsylvania, of quantities of oysters which were adulterated.

Analysis of a sample of the article in each shipment by the Bureau of Chemistry of this department showed the presence of added water.

Adulteration of the article in each shipment was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for oysters, which the article purported to be.

On December 11, 1916, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5158. Adulteration and misbranding of oil of lemon. U. S. \* \* \* v. Magnus & Lauer, a corporation. Plea of guilty. Fine, \$25. (F. & D. No. 7480. I. S. No. 18667-k.)**

On August 22, 1916, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Magnus & Lauer, a corporation, San Francisco, Cal., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 11, 1914, from the State of California into the State of Washington, of a quantity of oil of lemon which was adulterated and misbranded. The article was labeled in part: "Magnus & Lauer \* \* \* Oil Lemon \* \* \* 139-141 Fremont St. San Francisco, Cal. Guaranteed by Magnus & Lauer Inc. under the Food and Drugs June 30, 1906. Serial Number 25454."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Specific gravity (25°/25° C.)	0.8460
Citral by Kleber (per cent)	3.7
Rotation in 100 mm tube at 25° C. (degrees)	80.6
Rotation of 10 per cent distillate in 100 mm tube at 25° C. (degrees)	75.1
Difference in rotation (degrees)	5.5
Refractive index, at 29° C.	1.4738
Iodoform test for alcohol:	Positive.
Ethyl alcohol (per cent by volume)	0.92
Boiling point (° C)	77-78

Analysis indicates a washed lemon oil mixed with an oil of high rotary power, probably an orange oil product.

Adulteration of the article was alleged in the information for the reason that certain substances, to wit, washed lemon oil and other essential oil or oils, had been substituted in whole or in part for lemon oil, which the article purported to be.

Misbranding was alleged for the reason that the following statement regarding the article and the ingredients and substances contained therein, appearing on the label aforesaid, to wit, "Oil Lemon," was false and misleading in that it indicated to purchasers thereof that said article consisted of lemon oil; and for the further reason that it was labeled, "Oil Lemon," so as to deceive and mislead purchasers into the belief that said article consisted of lemon oil, when, in truth and in fact, the said article did not consist of lemon oil, but did consist of, to wit, a mixture of washed lemon oil and other essential oil or oils. Misbranding was alleged for the further reason that the article was, to wit, a mixture of washed lemon oil and other essential oil or oils, and was an imitation of, and offered for sale under the distinctive name of, another article, to wit, lemon oil.

On September 23, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5159. Adulteration of oysters. U. S. \* \* \* v. John I. Merrill. Plea of guilty. Fine, \$5. (F. & D. No. 7485. I. S. No. 1694-1.)**

On July 14, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John I. Merrill, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on January 10, 1916, from the State of New York into the State of Pennsylvania, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of added water.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for oysters, which the article purported to be.

On December 11, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5160. Adulteration of oysters. U. S. \* \* \* v. John I. Merrill. Plea of guilty. Fine, \$5. (F. & D. No. 7486. I. S. No. 4105-1.)**

On July 14, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John I. Merrill, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on January 25, 1916, from the State of New York into the State of Pennsylvania, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of added water.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for oysters, which the article purported to be.

On December 11, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5161. Adulteration of oysters. U. S. \* \* \* v. John I. Merrill. Plea of guilty. Fine, \$5. (F. & D. No. 7487. I. S. No. 11338-1.)**

On October 24, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John I. Merrill, New York, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, on January 11, 1916, from the State of New York into the State of Ohio, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of added water.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for oysters, which the article purported to be.

On December 11, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5162. Adulteration and misbranding of so-called purified wool fat. U. S. \* \* \* v. Six Crates \* \* \* of \* \* \* Purified Wool Fat. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7493. I. S. No. 617-1. S. No. E-635.)**

On June 2, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 6 crates, each containing 2 cans holding approximately 44 pounds of a product purporting to be purified wool fat, consigned by the Hilton Chemical Co., Baltimore, Md., remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about April 27, 1916, and transported from the State of Maryland into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "Purified Wool Fat 'Lord Baltimore Brand' Lanum Anhydrous 44 lbs Net Neutral and Non-irritating Ointment and Cream Base Made in Baltimore Hilton Chemical Co. Incorporated Baltimore, Md."

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia, and neither the strength, quality, nor purity was stated upon the containers thereof. Adulteration was alleged for the further reason that the article was sold as lanum or purified wool fat, whereas it contained petroleum products and thereby fell below the professed standard and quality under which it was sold.

Misbranding was alleged for the reason that the article was labeled, "Lanum" or "Purified Wool Fat," when it was not such, and said statements were false and misleading. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the name of another article, to wit, lanum or purified wool fat, when in fact it was not such.

On July 20, 1916, the said Hilton Chemical Co., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$300, in conformity with section 10 of the act, conditioned in part, that after the release of the goods they should be shipped to the claimant company at Baltimore, Md., and that they should not be reshipped or sold or otherwise disposed of without a label approved by the proper official or officials of the Department of Agriculture.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5163. Misbranding of "Stuart's Calcium Wafer Compound." U. S. \* \* \* v. 17 Dozen Packages \* \* \* of "Stuart's Calcium Wafer Compound." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7496. I. S. No. 11560-I. S. No. C-539.)**

On June 5, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 17 dozen packages of "Stuart's Calcium Wafer Compound," consigned by F. A. Stuart Co., Marshall, Mich., and remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on April 5, 1916, and transported from the State of Michigan into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Stuart's Calcium Wafer Compound. For constipation, blood disorders, skin affections, any derangement of blood, bowels, kidney, or liver Directions \* \* \* as the preparation is perfectly harmless \* \* \*."

Misbranding of the article was alleged in the libel for the reason that the following statements regarding it and the ingredients and substance contained therein, to wit, "\* \* \* perfectly harmless \* \* \*," "Children may take it with freedom and their delicate organisms thrive with its use \* \* \* containing no poisonous ingredients \* \* \* Stuart's Calcium Wafer Compound contains no alcoholic stimulant, opiate, or mercury iodide potassium or similar poisons. It can be safely used by any person, man, woman or child with the assurance that no possible injury can result from its use," were false and misleading in that the article contained a poisonous substance, to wit, strychnine. Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article appearing on the box wrapper, box label, and in the circular accompanying each of the packages, respectively, to wit, "\* \* \* No matter what degree of eruptive skin trouble you may have Stuart's Calcium Wafer Compound will purify and enrich the blood \* \* \* containing in concentrated form all the elements to repair tissue and depleted blood \* \* \*," were false and fraudulent in that the same were applied to the article knowingly, and in a reckless and wanton disregard of their truth and falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of such purchasers the impression and belief that the article was, in whole or in part, composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for the several diseases, affections, and conditions set forth in said statements, whereas, in truth and in fact, it was not in whole or in part composed of, and did not contain, such ingredients or medicinal agents.

On July 6, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5164. Misbranding of "Stuart's Calcium Wafer Compound." U. S. \* \* \* v. 16 Dozen Packages of "Stuart's Calcium Wafer Compound" \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7497. I. S. No. 4670-1. S. No. E-633.)**

On June 5, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 16 dozen packages of "Stuart's Calcium Wafer Compound," remaining unsold in the original unbroken packages at Baltimore, Md., and received at Baltimore, Md., on or about March 8, 1916, alleging that the article had been shipped by H. W. St. John Co., New York, N. Y., and transported from the State of New York into the State of Maryland, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "\* \* \* preparation is perfectly harmless." "Children may take it with freedom and their delicate organisms thrive with its use \* \* \* entirely harmless \* \* \* People who need a laxative, a good tonic and not a stimulant or who suffer from skin eruptions, blood disorders or nervous weakness of any kind will find in these wafers a perfectly safe remedy. \* \* \* It can safely be used by any person, man, woman or child with the assurance that no possible injury can result from its use." "Blood troubles and skin diseases, \* \* \* calcium sulphide \* \* \* the most powerful blood purifier known. \* \* \* Containing in concentrated form all the elements to repair nerve tissue and depleted blood \* \* \*."

Misbranding of the article was alleged in substance in the libel for the reason that the claims as to the therapeutic effects of said article, appearing in the label quoted above, were misleading, false, and fraudulent.

On August 3, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*



**5165. Adulteration and misbranding of alleged mustard seed. U. S. \* \* \* v. 407 Bags \* \* \* of Alleged Mustard Seed. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7500. I. S. No. 11567-L. S. No. C-537.)**

On June 7, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 407 bags of alleged mustard seed, each weighing 160 pounds, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on January 25, 1916, by the North American Mercantile Co., San Francisco, Cal., and transported from the State of California into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that rapeseed, brown seed, and dirt had been substituted wholly for mustard seed, which the article purported to be.

Misbranding was alleged for the reason that the article was an imitation of mustard seed in that it consisted wholly of rapeseed, brown seed, and dirt; and for the further reason that it was offered for sale under the distinctive name of another article, to wit, mustard seed.

On July 27, 1916, Katherine A. Jamison, Christina Arbuckle, and William A. Jamison, copartners, trading as Arbuckle Bros., Chicago, Ill., claimants, having filed an answer admitting the allegations contained in the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article should be delivered to said claimant firm upon the payment of the costs of the proceedings and the execution of a bond in sum of \$1,000, conditioned in part that all marks and brands be obliterated from the bags containing said article indicating that it was mustard seed, and that it should be relabeled as rapeseed, under the supervision of a representative of the Bureau of Chemistry.

*CARL VROOMAN, Acting Secretary of Agriculture.*



**5166. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 10 Barrels of Vinegar. Default decree of condemnation and forfeiture. Product ordered sold. (F. & D. No. 7506. I. S. No. 20674-1. S. No. W-94.)**

On or about June 7, 1916, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 barrels of vinegar, consigned by the L. C. Mercantile Co., Chicago, Ill., remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about May 13, 1916, and transported from the State of Illinois into the State of Colorado, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "48 Pure Apple Vinegar reduced to 40 Acetic Strength 40 Grain Kinnéy Cider Co. Benton Harbor Mich."

Adulteration of the article was alleged in the libel for the reason that distilled vinegar and added water had been mixed and packed therewith so as to reduce and lower its quality and strength, and had been substituted in part for said article.

Misbranding was alleged for the reason that the article was an imitation and was offered for sale under the distinctive name of another article, that is to say, while said article was being offered for sale under the label and brand of "Pure Apple Vinegar," in truth and in fact, it was composed in part of distilled vinegar and added water.

On July 13, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be sold by the United States marshal after the obliteration of the words, "Pure Apple Vinegar," contained in its brand and the substitution therefor of the following words: "Apple Vinegar and Distilled Vinegar Compound."

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5167. Adulteration and misbranding of alleged mustard seed. U. S. \* \* \* v. 443 Bags \* \* \* of Alleged Mustard Seed. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7512. I. S. Nos. 11568-1, 11569-1. S. Nos. C-540, C-541.)**

On June 7, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 443 bags of alleged mustard seed, each bag weighing 160 pounds, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on January 27, 1916, by the North American Mercantile Co., San Francisco, Cal., and transported from the State of California into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that rapeseed, brown seed, and dirt had been substituted wholly for mustard seed, which the article purported to be.

Misbranding was alleged for the reason that the article was an imitation of mustard seed, in that it consisted wholly of rapeseed, brown seed, and dirt; and for the further reason that it was offered for sale under the distinctive name of another article, to wit, mustard seed.

On July 27, 1916, Katherine A. Jamison, Christina Arbuckle, and William A. Jamison, copartners, trading as Arbuckle Bros., Chicago, Ill., claimants, having admitted the allegations contained in the libel and having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimants upon the payment of all the costs in the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that all marks and brands indicating that the product was mustard seed should be removed from the bags containing it, and that it should be relabeled as rapeseed under the supervision of a representative of the Bureau of Chemistry.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5168. Adulteration and misbranding of brandy or brandy cognac type.**  
**U. S. \* \* \* v. Fleischmann-Clarke Co., a corporation. Plea of**  
**guilty. Fine, \$50. (F. & D. No. 7515. I. S. No. 20221-1.)**

On September 27, 1916, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Fleischmann-Clarke Co., a corporation doing business at San Francisco, Cal., alleging the sale by said company, on or about October 19, 1915, in violation of the Food and Drugs Act, under a guaranty that the article was not adulterated or misbranded within the meaning of the said act, of a quantity of brandy or brandy cognac type, which was an adulterated and misbranded article within the meaning of the said act, and which said article, in the identical condition in which it was received, was shipped by the purchaser thereof, on or about October 20, 1915, from the State of California into the State of Nevada, in further violation of the said act. The article was labeled in part: " \* \* \* Brandy. \* \* \* Brandy Cognac Type \* \* \*".

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Proof (degrees) -----	89.4
Solids (grams per 100 liters to 100 proof) -----	121.9
Total acids, as acetic (grams per 100 liters to 100 proof) ----	11.0
Esters, as acetic (grams per 100 liters to 100 proof) -----	25.6
Aldehydes, as acetic (grams per 100 liters to 100 proof) ----	5.7
Furfural (gram per 100 liters to 100 proof) -----	0.3
Fusel oil (grams per 100 liters to 100 proof) -----	17.7
Color insoluble in amyl alcohol (per cent) -----	60.0

Paraldehyde test: Positive.

Caramel: Present.

This sample consists chiefly of neutral spirits colored with caramel.

Adulteration of the article was alleged in the information for the reason that dilute spirits, colored with caramel, had been substituted in whole or in part for brandy, which the article purported to be.

Misbranding was alleged for the reason that the article was an imitation brandy, to wit, dilute spirits, colored with caramel, and was offered for sale under the distinctive name of another article, to wit, brandy. Misbranding was alleged for the further reason that the statements, to wit, "Brandy" and "Brandy Cognac Type," borne on the barrel containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was brandy and was brandy of the type produced in the Cognac district of the Republic of France; and for the further reason that it was labeled, "Brandy" and "Brandy Cognac Type," so as to deceive and mislead the purchaser into the belief that it was brandy, and that it was brandy of the type produced in the Cognac district of the Republic of France, whereas, in fact and in truth, it was not brandy and was not produced in the Cognac district of the Republic of France, but was an imitation brandy, prepared from dilute spirits and colored with caramel.

On November 18, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5169. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 5 Barrels of Vinegar. Tried to the court and a jury. Finding for the Government. Decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7517. I. S. No. 4484-1. S. No. E-644.)**

On June 9, 1916, the United States attorney for the western district of South Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 barrels of vinegar, consigned by Dawson Brothers Manufacturing Co., Atlanta, Ga., remaining unsold in the original unbroken packages at Newberry, S. C., alleging that the article had been shipped and transported from the State of Georgia into the State of South Carolina, the shipment having been received on May 1, 1916, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: " \* \* \* Southern Beauty Brand Pure Apple Cider Vinegar Diluted to 4 PC Acid Strength \* \* \*."

Adulteration of the article was alleged in the libel for the reason that substances other than pure apple cider vinegar, to wit, dilute distilled vinegar and dilute acetic acid product, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for a like amount of pure apple cider vinegar.

It was charged in substance that the article was misbranded for the reason that the statement appearing on the label, to wit, "Pure Apple Cider Vinegar," was false and misleading in that it purported that the article was pure apple cider vinegar; and for the further reason that the article was labeled as afore-said so as to deceive and mislead the purchasers into the belief that it was pure apple cider vinegar, whereas it was not, but was, in fact, apple cider vinegar to which has been added dilute distilled vinegar and a dilute acetic acid product; and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, pure apple cider vinegar.

On November 9, 1916, the case came on for final disposition, and the Government submitted its evidence to the court and a jury. Upon this evidence the jury after being charged by the court made a finding for the Government, and thereafter on November 24, 1916, a formal decree of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to the said Dawson Brothers Manufacturing Co., claimant, upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5170. Misbranding of "Bovinine." U. S. \* \* \* v. Bovinine Co., a corporation. Plea of guilty. Sentence suspended. (F. & D. No. 7519, I. S. No. 1863-1.)**

On August 28, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Bovinine Co., a corporation, doing business at New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on July 27, 1915, from the State of New York into the State of Maryland, of a quantity of an article labeled in part, "Bovinine," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Solids (per cent)-----	21.29
Ash (per cent)-----	1.48
Oxyhemoglobin: Present.	
Total nitrogen (per cent)-----	2.43
Coagulable nitrogen (per cent)-----	2.32
Noncoagulable nitrogen (per cent)-----	0.10
Amino nitrogen (per cent)-----	0.04
Alcohol (per cent)-----	11.05
Glycerol (per cent)-----	6.29

"Bovinine" is a blood preparation containing alcohol and glycerol. The protein is practically all in a coagulable form.

It was charged in substance in the information that the article was misbranded for the reason that certain statements included in the booklet accompanying the article falsely and fraudulently represented that it was a treatment for anemia, asthma, loss of appetite, chronic respiratory inflammations, catarrhal inflammations, heart disease, intestinal torpor, St. Vitus dance, colds and coughs, general debility, atonic dyspepsia, menstrual disorders, diabetes, chronic gastritis, malnutrition, nervous exhaustion, and phthisis, and effective as a preventive of consumption, when, in truth and in fact, it was not.

On December 4, 1916, the defendant company entered a plea of guilty to the information, and the court suspended sentence.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5171. Misbranding of "Fritch's Vegetable Liniment" and "Fritch's Vegetable Soap." U. S. \* \* \* v. John A. Fritch. Plea of guilty. Fine, \$20 and costs. (F. & D. No. 7520. I. S. Nos. 12087-k, 12088-k.)**

On September 13, 1916, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against John A. Fritch, St. Louis, Mo., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about December 12, 1914, from the State of Missouri into the State of Illinois, of quantities of articles labeled in part: "Fritch's Vegetable Liniment \* \* \*" and "Fritch's Vegetable Soap \* \* \*," which were misbranded.

Analysis of a sample of the "Vegetable Liniment" by the Bureau of Chemistry of this department showed the product to be essentially an alcoholic solution of chloroform, turpentine, camphor, capsicum, oil of cloves, methyl salicylate, and free ammonia.

Analysis of a sample of the "Vegetable Soap" showed the product to consist essentially of a hard, white, perfumed, coconut-oil soap with a citronella-like odor.

It was charged in substance in the information that the liniment was misbranded in that certain statements on its label and included in the circular or pamphlet accompanying it, falsely and fraudulently represented it as a remedy for fever and ague, and congestive chills, as a panacea for all aches and pains; as effective for restoring perfect health by removing the cause of the disorder, and for reducing all swellings promptly and permanently, and as an absolute cure for rheumatism, rheumatic gout, sciatica, neuralgia, stiff joints, sprains, burns, scalds, bed sores, boils, carbuncles, bronchitis, catarrh, cold in the head, hay fever, la grippe, asthma, canker, sore mouth, croup, whooping cough, headache, hoarseness, ulcerated sore throat, quinsy, swollen glands, tumors, pleurisy, lame back, earache, sore eyes, kidney and bladder diseases, dysentery, bloody flux, cholera morbus, and painful menstruation, and as effective for arresting all inflammatory conditions and reducing all swellings promptly and permanently, for relieving the most excruciating pains instantaneously, for curing ear discharges and diseases of the ear and hearing when used in connection with "Fritch's Vegetable Soap," and as a cure for acute rheumatism, chronic rheumatism, and sciatic rheumatism, when used in connection with "Fritch's Vegetable Soap," and as a cure for felons and inflammation of the kidneys, when, in truth and in fact, it was not.

It was charged in substance in the information that the soap was misbranded in that certain statements on its label and included in the circular or pamphlet accompanying it falsely and fraudulently represented it as a wonderful cure in the treatment of scald head, eczema, scrofulous sores, tetter, barber's itch, and all humors of the skin and scalp, and effective for preventing falling hair and all scalp diseases, for preventing ulceration and gangrene in the most extensive and deepest burns, in curing chronic ulcers, and as the most reliable and only sure means for curing stubborn festering sores which extend almost completely around the limb, when, in truth and in fact, it was not.

On September 22, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5172. Adulteration and misbranding of purified wool fat. U. S. \* \* \* v. 500 Packages Purified Wool Fat. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7521. I. S. Nos. 476-l, 477-l. S. No. E-641.)**

On June 8, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 100 one-pound packages of the anhydrous variety and 400 one-pound packages of the hydrous variety of purified wool fat, consigned by the Hilton Chemical Co., Inc., Baltimore, Md., remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on March 2, 1916, and transported from the State of Maryland into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The retail packages of the two varieties of the article were labeled, respectively: "One Pound Purified Wool Fat 'Lord Baltimore Brand' Lanum Anhydrous \* \* \* 'Made in Baltimore' Hilton Chemical Co. Incorporated Baltimore, Md. \* \* \*" and "One Pound Purified Wool Fat 'Lord Baltimore Brand' Lanum Adeps Lanae Hydrosus (U. S. P.) \* \* \* 'Made in Baltimore' Hilton Chemical Co. Incorporated Baltimore, Md. \* \* \*"

Adulteration of the article was alleged in the libel for the reason that it contained added petroleum products.

Misbranding was alleged in substance for the reason that the retail packages contained labels which bore the statement, "Purified Wool Fat," regarding the article and the ingredients and substances contained therein, which were false and misleading in that said statement indicated that the article was purified wool fat when, in fact, it was not.

On July 14, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5173. Adulteration of oysters. U. S. \* \* \* v. Charles H. Weser. Plea of guilty. Fine, \$20. (F. & D. No. 7522. I. S. Nos. 1198-1, 4003-1.)**

On September 18, 1916, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of the District aforesaid an information against Charles H. Weser, Washington, D. C., alleging the sale by said defendant, in violation of the Food and Drugs Act, on February 29, 1916, and March 17, 1916, at the District aforesaid, of quantities of oysters which were adulterated.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

The sample designated as I. S. No. 1198-1, showed:

Liquor (per cent) .....	26
Oysters (per cent) .....	74
Analysis of meat:	
Solids (per cent) .....	13.7
Ash (per cent) .....	0.59
Sodium chlorid: None.	
Loss on boiling (per cent) .....	56
Analysis of liquor:	
Solids (per cent) .....	1.92
Ash (per cent) .....	0.22
Sodium chlorid (per cent) .....	0.12

The sample designated as I. S. No. 4003-1, showed:

Liquor (per cent) .....	27.2
Oysters (per cent) .....	72.8
Analysis of meat:	
Solids (per cent) .....	11.07
Ash (per cent) .....	0.55
Sodium chlorid (per cent) .....	0.03
Loss on boiling (per cent) .....	61.2
Analysis of liquor:	
Solids (per cent) .....	1.44
Ash (per cent) .....	0.26
Sodium chlorid (per cent) .....	0.12

Results of analysis show that a substantial amount of water has been mixed and packed with the oysters in each case.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oysters which the article purported to be.

On September 18, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$10 on each of two counts.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5174. Adulteration of oysters. U. S. \* \* \* v. Old Dutch Market, Inc.**  
**Plea of guilty. Fine, \$10.** (F. & D. No. 7525. I. S. No. 4702-L.)

On November 8, 1916, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of the District aforesaid an information against the Old Dutch Market (Inc.), a corporation, doing business at Washington, D. C., alleging the sale by said defendant company, on February 29, 1916, at the District aforesaid, in violation of the Food and Drugs Act, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Liquor (per cent)-----	24
Oysters (per cent)-----	76
Analysis of meat:	
Solids (per cent)-----	13.6
Mineral matter (per cent)-----	0.82
Sodium chlorid (per cent)-----	0.01
Loss on boiling (per cent)-----	53
Analysis of liquor:	
Solids (per cent)-----	3.68
Mineral matter (per cent)-----	0.47
Sodium chlorid (per cent)-----	0.32

Results of analysis show that a substantial amount of water has been mixed with the oysters.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oysters which the said article purported to be.

On November 8, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5175. Misbranding of "Perkins' National Herbs Blood Purifier Kidney and Liver Regulator." U. S. \* \* \* v. National Herb Co., a corporation. Plea of guilty. Fine, \$75. (F. & D. No. 7528. I. S. No. 22369-h.)**

On September 18, 1916, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture filed in the police court of the District aforesaid an information against the National Herb Co., a corporation, doing business at Washington, D. C., alleging sale by said company, on May 26, 1914, at the District aforesaid, in violation of the Food and Drugs Act as amended, of a quantity of an article labeled in part: "Perkins' National Herbs Blood Purifier Kidney and Liver Regulator \* \* \*," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ash (per cent).....	16.5
Calcium carbonate (per cent).....	11.0
Total sugars (per cent).....	39.9
Emodin bearing cathartic drug: Present.	
Rhubarb: Strongly indicated.	
Strychnine: Present.	
Licorice: Indicated.	
Umbelliferon: Indicated.	

Coating of pill consists of calcium carbonate, iron oxid, and sugar.

It was charged in substance in the information that the article was misbranded in that certain statements on its label and included in the circular or pamphlet accompanying it falsely and fraudulently represented it as a blood purifier, a guaranteed remedy for all diseases arising from impure blood, stomach, liver, and kidneys; as a remedy for female complaints, rheumatism, kidney disorder, liver complaint, dyspepsia, stomach troubles, and skin diseases; and as a treatment for rheumatism, kidney disorder, liver complaint, neuralgia, dyspepsia, fever and ague, scrofula, female complaints, nervous affections, erysipelas, eczema, catarrh, and all diseases arising from impure blood, when, in truth and in fact, it was not.

On September 18, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$75.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5176. Misbranding of "Dr. Lemke's Golden Electric Liniment" and "Dr. Lemke's St. Johannis Drops." U. S. \* \* \* v. Charles H. Lemke et al. (Dr. H. C. Lemke Medicine Co.). Plea of guilty. Fine, \$5 and costs. (F. & D. No. 7529. I. S. Nos. 7396-h, 7397-h.)**

On August 17, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Charles H. Lemke, Edward S. Lemke, Clarence R. Lemke, Wallace H. Lemke, Agnes Cromer, and Cora Cross, trading as Dr. H. C. Lemke Medicine Co., Chicago, Ill., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on or about April 21, 1914, from the State of Illinois into the State of Michigan, of quantities of articles labeled in part: "Dr. Lemke's Golden Electric Liniment" and "Dr. Lemke's St. Johannis Drops," which were misbranded.

Analysis of a sample of the "Golden Electric Liniment" by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	62.6
Chloroform (minims per fluid ounce)-----	3.6
Free ammonia: Present.	
Alkalinity, calculated as $\text{NH}_3$ (grams per 100 cc)-----	1.61
Camphor: Present.	
Capsicum: Present.	

Oil of sassafras, probably present; volatile oil of mustard, probably present; ether, probably present, but failed to detect it in the presence of the other volatile matter.

Misbranding of the "Golden Electric Liniment" was alleged in substance in the information for the reason that certain statements appearing on the labels of the bottle and carton containing the article and included in the circular or pamphlet accompanying it falsely and fraudulently represented it as a remedy for rheumatism, neuralgia, weakness of the nerves, sore and swollen throat, stiff and swollen joints, all kinds of wounds, sprains, bruises, burns, and scalds; for colic, cholera, diarrhea, flux, cholera in hogs; as effective for relieving all external and internal complaints; and as a cure for frozen limbs, and for colic and cramps in horses and cattle, when, in truth and in fact, it was not; and for the further reason that certain statements in said circular falsely and fraudulently represented the article as a remedy for croup and diphtheria in children when used by rubbing well on throat externally and, when necessary, by gargling or swabbing out the throat internally with reduced liniment. when, in truth and in fact, it was not a remedy for croup and diphtheria when used in any manner; and for the further reason that a certain statement in said circular falsely and fraudulently represented said article as a cure for all kinds of sore throats in children and adults when used as a gargle in time, when, in truth and in fact, it was not a cure for sore throats of all kinds whenever used.

Analysis of a sample of the "St. Johannis Drops" by said Bureau of Chemistry showed the following results:

Alcohol (per cent by volume)-----	43.0
Morphine (gram per 100 cc)-----	0.011
Morphine (grain per fluid ounce)-----	0.049
Opium (grain per fluid ounce)-----	0.412
Solids (grams per 100 cc)-----	2.87
Camphor: Present.	
Emodin: Present.	
Capsicum: Present.	
Ether: Present.	
Oils, aromatic: Present.	

Misbranding of this article was alleged in substance in the information for the reason that certain statements, appearing on the label of the bottle containing it and included in the circular or pamphlet accompanying it, falsely and fraudulently represented it as a remedy for cholera, dysentery, palpitation of the heart, headache, indigestion, summer complaint in children, colic, diarrhea, flux, and for all internal pain and inflammations, when, in truth and in fact, it was not.

On October 11, 1916, a plea of guilty to the information was entered on behalf of the defendants, and the court imposed a fine of \$5 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5177. Adulteration of tincture of iodine. U. S. \* \* \* v. Philip G. Affleck.**  
**Plea of guilty. Fine, \$50. (F. & D. No. 7530. I. S. No. 1808-1.)**

On September 18, 1916, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of the District aforesaid an information against Philip G. Affleck, Washington, D. C., alleging the sale by said defendant, on December 8, 1915, at the District aforesaid, in violation of the Food and Drugs Act, of a quantity of tincture of iodine which was adulterated. The article was labeled in part: "Tincture Iodine Poison Absolute Alcohol 90 per cent. by vol. \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Iodin (grams per 100 cc)-----	5.84
Potassium iodid (grams per 100 cc)-----	3.04
Alcohol (per cent by volume)-----	92.5

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia official at the time of the investigation of said article, and differed from the standard of strength, quality, and purity, as determined by the test laid down in the said Pharmacopœia in that the test requires that said article shall contain 6.86 grams of iodine in 100 cubic centimeters, and 5.0 grams of potassium iodid in 100 cubic centimeters, whereas the said article contained 5.84 grams of iodine in 100 cubic centimeters and 3.04 grams of potassium iodid in 100 cubic centimeters.

On September 18, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5178. Misbranding of mentholatum. U. S. \* \* \* v. Edward K. Hyde  
(The Mentholatum Co.). Plea of nolo contendere. Fine, \$10.  
(F. & D. No. 7532. I. S. No. 2382-k.)

On October 7, 1916, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Edward K. Hyde, trading as the Mentholatum Co., Buffalo, N. Y., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 16, 1915, from the State of New York into the island of Porto Rico, of a quantity of an article labeled in part, "Mentholatum," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Boric acid (per cent)----- 4.95  
Menthol, camphor, and boric acid in a petrolatum base.

Menthol and camphor constitute about 10 per cent of the preparation.

It was charged in substance in the information that the article was misbranded for the reason that the statements on the jar containing it and on its carton falsely and fraudulently represented it as the safest and most rapid cure for hemorrhoids, a positive cure for burns, eczema in general, affections of the skin, an instantaneous cure for inflammation of the skin, tissues, and muscles, a rapid and safe cure for catarrh, croup, headache, toothache, rheumatism, and neuralgia, and a remedy for painful periods in women, when, in truth and in fact, it was not.

On November 27, 1916, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5179. Misbranding of "Enteronol." U. S. \* \* \* v. Enteronol Co., a corporation. Plea of guilty. Fine, \$200. (F. & D. No. 7533. I. S. No. 1176-1.)**

On September 15, 1916, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Enteronol Co., a corporation, doing business at Oswego, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act as amended, on or about February 8, 1916, from the State of New York into the District of Columbia, of a quantity of an article labeled in part, "Enteronol," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the product consisted essentially of alum, camphor, ginger, emodin, capsicum, tannic acid, and phenolphthalein.

It was charged in substance in the information that the article was misbranded for the reason that certain statements on the label falsely and fraudulently represented it as a remedy for stomach and bowel diseases accompanied by loose evacuations, when, in truth and in fact, it was not a remedy for stomach or bowel diseases, whether accompanied by loose evacuations or not; and that it was misbranded for the further reason that certain statements included in the circular or pamphlet accompanying it falsely and fraudulently represented it as a cure for Asiatic cholera, diarrhea, dysentery, cholera, typhoid fever, tuberculosis, and the diarrhea so common in children and infants, when, in truth and in fact, it was not.

On February 14, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$200.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5180. Misbranding of oysters. U. S. \* \* \*, v. Sea Food Co., a corporation. Plea of nolo contendere. Fine, \$25 and costs. (F. & D. No. 7534. I. S. Nos. 10957-1, 11037-1.)**

On August 21, 1916, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Sea Food Co., a corporation, Biloxi, Miss., alleging shipment by said company, in violation of the Food and Drugs Act as amended, on or about January 8, 1916, and November 12, 1915, from the State of Mississippi into the State of Louisiana, of quantities of oysters which were misbranded. The shipment on January 8, 1916, was labeled in part: "Konisur Brand Oysters Contents 5 ozs. Oysters Packed by Sea Food Co. Biloxi, Miss. \* \* \*." The shipment on November 12, 1915, was labeled in part: "Good Eating Brand Oysters Sea Food Co. Biloxi, Miss. Contents 4 ozs. Oysters \* \* \*."

Examination of a sample of the article from the shipment of January 8, 1916, by the Bureau of Chemistry of this department showed the average net weight of 16 cans to be 4.76 ounces. Examination of a sample of the article of the shipment of November 12, 1915, showed the average net weight of 9 cans to be 3.24 ounces.

Misbranding of the article in each shipment was alleged in the information for the reason that it consisted of food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On February 23, 1917, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$25 and costs.

*CARL VROOMAN, Acting Secretary of Agriculture.*

5181. **Misbranding of cottonseed meal.** U. S. \* \* \* v. **Ocilla Oil and Fertilizer Co., a corporation.** Plea of *nolo contendere*. Fine, \$10. (F. & D. No. 7535. I. S. No. 9201-1.)

On August 29, 1916, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Ocilla Oil and Fertilizer Co., a corporation, Ocilla, Ga., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 5, 1915, from the State of Georgia into the State of Massachusetts, of a quantity of cottonseed meal which was misbranded. The article was labeled in part: "Forfat Brand Guaranteed Analysis. \* \* \* Protein—38.55 to 41% \* \* \* Crude Fibre—8 to 12% \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Moisture (per cent).....	8.16
Fat (per cent).....	7.67
Crude fiber (per cent).....	15.94
Protein (N x 6.25) (per cent).....	35.50
Ash (per cent).....	5.65
Nitrogen-free extract (by difference) (per cent).....	27.08

This sample is low in protein and high in crude fiber as compared with the guaranteed analysis.

Misbranding of the article was alleged in the information for the reason that the statement regarding the article and the ingredients and substances contained therein appearing on its label, to wit, "Guaranteed Analysis. \* \* \* Protein—38.55 to 41% \* \* \* Crude Fibre—8 to 12%," was false and misleading in that it indicated to purchasers thereof that it contained from 38.55 to 41 per cent protein and from 8 to 12 per cent of crude fiber; and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchasers into the belief that it contained from 38.55 to 41 per cent protein and from 8 to 12 per cent crude fiber, when, in truth and in fact, it contained less than 38.55 per cent of protein and more than 12 per cent of crude fiber, to wit, 35.50 per cent of protein and 15.94 per cent of crude fiber.

On December 14, 1916, the defendant company entered a plea of *nolo contendere* to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5182. Misbranding of cottonseed meal. U. S. \* \* \* v. Tecumseh Oil & Cotton Co., a corporation. Plea of guilty. Fine, \$150. (F. & D. No. 7536. I. S. Nos. 19855-1, 19856-1, 19857-1.)**

On January 22, 1917, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Tecumseh Oil & Cotton Co., a corporation, doing business at Tecumseh, Okla., alleging shipment by said company, in violation of the Food and Drugs Act, on or about February 7, 1916, February 4, 1916, and February 12, 1916, from the State of Oklahoma into the State of Iowa, of quantities of an article labeled in part: "Imperial Cotto Brand Choice Cotton Seed Meal \* \* \*," which was misbranded.

Analyses of samples of the article in each shipment by the Bureau of Chemistry of this department showed the following results:

	No. 1.	No. 2.	No. 3.
Moisture (per cent)-----	8.50	10.0	10.0
Crude fat (per cent)-----	7.03	6.9	8.2
Crude fiber (per cent)-----	13.92	14.6	14.9
Crude protein (per cent)-----	33.54	33.6	32.8
Total nitrogen (per cent)-----	5.37	5.38	5.25
Total ammonia (per cent)-----	6.53	6.54	6.38

Samples contain less ammonia, less nitrogen, and less protein, and more crude fiber than they are labeled to contain.

Misbranding of the article was alleged in substance in the information for the reason that the statements, to wit:

"Guaranteed analysis:	Not less than—
"Ammonia-----	8.00%
"Nitrogen-----	6.50%
"Protein-----	41.00% to 45.00%
"Crude fat-----	8.00%
"Crude fiber (maximum)-----	9.00%"

borne on the tags attached to the sacks containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that said article contained not less than 8 per cent of ammonia, not less than 6.50 per cent of nitrogen, not less than 41 per cent of protein, not less than 8 per cent of crude fat (except as to the latest shipment, about which no allegation relative to crude fat was made), and not more than 9 per cent of crude fiber; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 8 per cent of ammonia, not less than 6.50 per cent of nitrogen, not less than 41 per cent of protein, not less than 8 per cent of crude fat (except as to the latest shipment), and not more than 9 per cent of crude fiber, whereas, in truth and in fact, it contained less than 8 per cent of ammonia, less than 6.50 per cent of nitrogen, less than 41 per cent of protein, less than 8 per cent of fat (except as to the latest shipment), and contained more than 9 per cent of crude fiber.

On January 30, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$150.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5183. Adulteration of butter. U. S. \* \* \* v. 79 Cases of Assorted Butter. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7537. I. S. No. 20132-l. S. No. W-95.)**

On June 13, 1916, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 79 cases of assorted butter, consigned by the Commercial Creameries Co., a corporation, Spokane, Wash., on May 29, 1916, and remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the article had been shipped and transported from the State of Washington into the State of California, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of decomposed animal substance.

On July 18, 1916, the said Commercial Creameries Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2,000, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5184. Adulteration and misbranding of mustard seed. U. S. \* \* \* v. 13 Bags Mustard Seed. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7538. I. S. Nos. 11562-1, 11572-1. S. No. C-549.)**

On June 15, 1916, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 13 bags of mustard seed, remaining unsold in the original unbroken packages at Gladbrook, Iowa, alleging that the article had been shipped on or about May 31, 1916, by the Morehouse Mills Co., Chicago, Ill., and transported from the State of Illinois into the State of Iowa, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that rape-seed, brown seeds, and dirt had been substituted wholly for said article.

Misbranding was alleged for the reason that the article was an imitation of, and offered for sale under the distinctive name of, another article.

On October 6, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*



**5185. Adulteration of pork and beans. U. S. \* \* \* v. 190 Cases \* \* \* of Pork and Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7540. I. S. No. 4840-l. S. No. E-650.)**

On June 13, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 190 cases, each containing 2 dozen cans of pork and beans, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about May 15, 1916, by the Elyria Canning Co., Elyria, Ohio, and transported from the State of Ohio into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "\* \* \* Crusoe Brand Pork and Beans with Tomato Sauce \* \* \* Elyria Canning Co., Elyria, Ohio."

Adulteration of the article was alleged in the libel for the reason that it consisted particularly, in whole or in part, of a filthy and decomposed vegetable substance, to wit, moldy beans.

On August 22, 1916, the said Elyria Canning Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$400, in conformity with section 10 of the act.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**5186. Adulteration and misbranding of wool fat. U. S. \* \* \* v. 55 Cans \* \* \* and 25 Cans of Wool Fat \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7541. I. S. Nos. 12926-1, 12927-1. S. No. C-547.)**

On June 13, 1916, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 55 cans (hydrous) and 25 cans of wool fat (anhydrous), remaining unsold in the original unbroken packages at Detroit, Mich., alleging that the article had been shipped on or about April 22, 1916, by the Hilton Chemical Co., Baltimore, Md., and transported from the State of Maryland into the State of Michigan, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "One pound purified wool fat (hydrous) Lord Baltimore Brand Adeps Lanum Hydrous \* \* \*" or "One pound purified wool fat Lord Baltimore Brand Lanum Anhydrous \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it contained not less than 35 per cent petroleum product calculated on water-free basis.

It was further alleged that the article was misbranded in violation of section 8 of the Food and Drugs Act first general paragraph and paragraph first under drugs.

On October 20, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5187. Adulteration and misbranding of alleged purified wool fat. U. S. \* \* \* v. 44 Cans \* \* \* of Alleged Purified Wool Fat. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7542. I. S. No. 11570-1. S. No. C-546.)**

On June 14, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 44 cans of alleged purified wool fat, consigned by the Hilton Chemical Co., Baltimore, Md., remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on March 29, 1916, and transported from the State of Maryland into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "'Lord Baltimore Brand' Lanum Adeps Lanae Hydrosus Specially Prepared For Use In Pharmacy and Medicine,—As In Ointments, Creams, etc."

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the test laid down in said Pharmacopœia official at the time of investigation in that the article contained, to wit, 35 per cent of petroleum product, contrary to the test laid down in said Pharmacopœia. Adulteration was alleged for the further reason that the article was sold as "Lanum Adeps Lanae Hydrosus (U. S. P.)," whereas it fell below the professed standard and quality under which it was sold, in that it contained 35 per cent of petroleum product.

Misbranding was alleged for the reason that the said statements appearing on the label aforesaid, to wit, "Adeps Lanae Hydrosus (U. S. P.)," were false and misleading, in that said statements represented to the purchaser that the article conformed to the strength, quality, and purity of such article of drugs, as determined by the test laid down in the United States Pharmacopœia official at the time of investigation, whereas, in truth and in fact, the article contained 35 per cent of petroleum product, contrary to the test as determined by said Pharmacopœia. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the name of another article, to wit, genuine Adeps Lanae Hydrosus (U. S. P.), whereas, in truth and in fact, it contained 35 per cent of petroleum product, contrary to the standard of strength, quality, and purity as determined by the test laid down in the United States Pharmacopœia official at the time of investigation.

On July 6, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5188. Misbranding of "Dr. Harter's Lung Balm." U. S. \* \* \* v. The Dr. Harter Medicine Co., a corporation. Plea of guilty. Fine, \$200. (F. & D. No. 7545. I. S. No. 7391-h.)**

On August 4, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Dr. Harter Medicine Co., a corporation, doing business at Philadelphia, Pa., alleging the sale by said company on or about March 20, 1913, in violation of the Food and Drugs Act, as amended, under a guaranty that the article was not misbranded within the meaning of the said act, of a quantity of "Dr. Harter's Lung Balm," which was a misbranded article within the meaning of the said act, as amended, and which said article, in the identical condition in which it was received, was shipped by the purchaser thereof, on or about April 24, 1914, from the State of Pennsylvania into the State of Michigan, in further violation of the said act as amended. The article was labeled in part: "Dr. Harter's Lung Balm \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Nonvolatile residue at 100° C. (per cent)-----	61.2
Sucrose by Clerget test (per cent)-----	60.24
Alcohol (per cent by volume)-----	3.65
Antimony by Reinsch test: Indicated.	
Tartrates: Trace indicated.	
Chloroform: Present.	
Cinnamic acid and plant extractive material: Test positive.	
Alkaloidal reaction with Mayer's reagent: Positive.	

It was charged in substance in the information that the article was misbranded for the reason that certain statements on its label falsely and fraudulently represented it as a remedy for lung disorders and affections, and influenza; and for the further reason that certain statements included in the circular or pamphlet accompanying it falsely and fraudulently represented it as a remedy for throat and lung troubles, consumption, chronic cough, lung fever, pneumonia, hoarseness, difficult breathing, pleurisy, and pain or soreness in the chest, and effective for relieving congestion of the lungs, regulating the circulation, and removing all irritation, when, in truth and fact, it was not.

On September 25, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$200.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**5189. Adulteration of macaroni. U. S. \* \* \* v. 64 Cases of Macaroni.**  
**Default decree of condemnation, forfeiture, and destruction.**  
(F. & D. No. 7546. I. S. No. 20293-1. S. No. W-96.)

On June 14, 1916, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 64 cases of macaroni, consigned by Hinode Shokai, Honolulu, T. H., and arriving about June 8, 1916, and remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the article had been shipped from the Territory of Hawaii into the State of California, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of decomposed vegetable substance.

On October 19, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*



**5190. Adulteration of canned beans. U. S. \* \* \* v. 100 Cases of Canned Beans. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7549. I. S. No. 4335-1. S. No. E-653.)

On June 19, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 100 cases of canned beans, consigned on or about April 12, 1916, and remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the W. F. Assau Canning Co., Baltimore, Md., and transported from the State of Maryland into the State of Massachusetts, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel of information for the reason that it consisted in part of a filthy, putrid, and decomposed vegetable substance.

On September 12, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5191. Adulteration of pork and beans. U. S. \* \* \* v. 241 Cases \* \* \* of Pork and Beans. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 7550. I. S. No. 11571-1. S. No. C-551.)**

On June 20, 1916, the United States attorney for the eastern district of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 241 cases, each containing 24 cans of pork and beans, consigned by the Wisconsin Pea Cannery Co., Manitowoc, Wis., and remaining unsold in the original unbroken packages at Danville, Ill., alleging that the article had been shipped on or about December 3, 1915, and transported from the State of Wisconsin into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

It was charged in substance in the libel that the article was adulterated for the reason that it consisted in part of a filthy, decomposed, and putrid vegetable substance, and was wholly unfit for food; and for the further reason that the article was artificially colored with annatto, whereby inferiority was concealed.

On December 4, 1916, the said Wisconsin Pea Cannery Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be delivered to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5192. Adulteration and misbranding of beans. U. S. \* \* \* v. 187 Cases of Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7551. I. S. No. 12930-1. S. No. C-554.)**

On June 23, 1916, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 187 cases, each containing 24 cans of beans, remaining unsold in the original unbroken packages at Detroit, Mich., alleging that the article had been shipped on December 22, 1915, by Abe Azen, Indianapolis, Ind., and transported from the State of Indiana into the State of Michigan, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a decomposed vegetable substance.

Misbranding was alleged for the reason that none of the cans containing the article bore a plain and conspicuous statement of the contents thereof in terms of weight, measure, or numerical count.

On October 20, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5193. Adulteration of tomato pulp. U. S. \* \* \* v. Valentine G. Spindler.**  
**Plea of guilty. Fine, \$40.** (F. & D. No. 7552. I. S. No. 11014-1.)

On September 2, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Valentine G. Spindler, Halethorpe, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about October 27, 1915, from the State of Maryland into the State of Mississippi, of a quantity of tomato pulp labeled in part: "Halethorpe Brand Tomato Pulp packed by V. G. Spindler, Halethorpe, Md.," which was adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the product to be a partially decomposed vegetable product.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a decomposed vegetable substance.

On September 28, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$40.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5194. Misbranding of "Stuart's Calcium Wafer Compound." U. S. \* \* \*  
 v. 60 Dozen Packages of "Stuart's Calcium Wafer Compound."  
 Default decree of condemnation, forfeiture, and destruction.  
 (F. & D. No. 7553. I. S. No. 11573-1. S. No. C-556.)**

On June 27, 1916, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 60 dozen packages of "Stuart's Calcium Wafer Compound," remaining unsold in the original unbroken packages at Cedar Rapids, Iowa, alleging that the articles had been shipped on or about April 12, 1916, by the F. A. Stuart Co., Marshall, Mich., and transported from the State of Michigan into the State of Iowa, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: "Stuart's Calcium Wafer Compound for constipation, blood disorders, skin affections, any derangement of blood, bowels, kidney or liver. Directions \* \* \* as the preparation is perfectly harmless \* \* \*."

Misbranding of the article was alleged in the libel for the reason that the following statements regarding the article and the ingredients and substances contained therein, "\* \* \* preparation is perfectly harmless \* \* \* Children may take it with freedom, and their delicate organisms thrive with its use \* \* \* Stuart's Calcium Wafer Compound contains no alcoholic stimulant, opiate or mercury iodide potassium or similar poisons. It can be safely used by any person, man, woman, or child, with the assurance that no possible injury can result from its use," were false and misleading, in view of the presence of strychnine, which is a poisonous substance. Misbranding was alleged for the further reason that the product contained no ingredient or combination of ingredients capable of producing the therapeutic effects claimed for it on the label and circulars, and that the following statements on the box wrapper, to wit, "For eruptions, scrofula, \* \* \* constipation, humor liver troubles \* \* \* and all disorders and symptoms received from impure blood \* \* \* the most powerful blood purifier known. \* \* \* will infuse renewed energy and strength into the exhausted nerves and the overworked brain or muscular system \* \* \* containing in concentrated form all the elements to repair tissue and depleted blood \* \* \*," were false and fraudulent.

On October 6, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*



**5195. Adulteration of pork and beans. U. S. \* \* \* v. 250 Cases of Pork and Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7554. I. S. No. 462-L. S. No. E-655.)**

On June 22, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 250 cases of pork and beans, consigned by Hart Bros., Saginaw, Mich., and remaining unsold in the original unbroken packages at Reading, Pa., alleging that the article had been shipped on or about March 14, 1916, and transported from the State of Michigan into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "White Elk Brand With Tomato Sauce Pork & Beans. \* \* \*."

It was charged in substance in the libel that the article was adulterated in that it consisted in whole or in part of a decomposed vegetable substance.

On July 31, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5196. Adulteration of canned pork and beans. U. S. \* \* \* v. 25 Cases \* \* \* of Pork and Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7555. I. S. No. 4845-l. S. No. E-656.)**

On June 23, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 25 cases, each containing 2 dozen cans of pork and beans, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on March 31, 1916, by the Elyria Canning Co., Elyria, Ohio, and transported from the State of Ohio into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The cans were labeled in part: "Crusoe Brand Pork and Beans with Tomato Sauce \* \* \* Elyria Canning Co., Elyria, Ohio."

Adulteration of the article was alleged in the libel for the reason that it consisted particularly, in whole or in part, of a filthy and decomposed vegetable substance, to wit, decomposed beans.

On July 14, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5197. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 35 Barrels \* \* \* of Vinegar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7557. I. S. No. 12460-I. S. No. C-557.)**

On June 27, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 35 barrels of vinegar, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on June 6, 1916, by the Kinney Cider and Vinegar Co., Benton Harbor, Mich., and transported from the State of Michigan into the State of Illinois, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that distilled vinegar or dilute acetic acid had been mixed and packed therewith, so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part therefor.

Misbranding of the article was alleged for the reason that the statement, to wit, "Pure Apple Cider Vinegar Reduced to Acetic Strength 40 Grain," appearing on its label, was false and misleading in that it represented to the purchaser that the article consisted of pure apple cider vinegar reduced in strength as aforesaid, whereas, in truth and in fact, a distilled vinegar or dilute acetic acid had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength; and for the further reason that the aforesaid statement on the label deceived and misled the purchaser into the belief that said article was a pure apple cider vinegar reduced in strength as aforesaid, whereas, in truth and in fact, it was an imitation of pure apple cider vinegar, and was offered for sale under the distinctive name of another article, to wit, pure apple cider vinegar.

On December 8, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5198. Adulteration of sweet potatoes. U. S. \* \* \* v. 12 Cases of Sweet Potatoes \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7560. I. S. No. 709-L. S. No. E-660.)**

On July 1, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 12 cases, each containing 24 cans of sweet potatoes, consigned by J. T. Bothwell Grocery Co., Augusta, Ga., and remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped and transported from the State of Georgia into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On August 14, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5199. Adulteration of beef ribs. U. S. \* \* \* v. 1 Barrel Beef Ribs.  
Default decree of condemnation, forfeiture, and destruction.  
(F. & D. No. 7561. I. S. No. 3023-l. S. No. E-664.)**

On July 1, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 barrel of beef ribs, containing 290 pounds, consigned by L. C. Thayer, Boston, Mass., and remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about June 24, 1916, and transported from the State of Massachusetts into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

It was charged in substance in the libel that the article was adulterated for the reason that it consisted in whole or in part of a putrid animal substance.

On July 31, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

**CARL VBROOMAN, *Acting Secretary of Agriculture.***



**5200. Adulteration of spring lamb. U. S. \* \* \* v. 2 Barrels of Spring Lamb. Default decree of condemnation, forfeiture, and destruction.** (F. & D. No. 7562. I. S. No. 3024-1. S. No. E-665.)

On July 1, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 2 barrels, each containing 250 pounds of spring lamb, consigned by Dolan Bailey, Boston, Mass., and remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about June 24, 1916, and transported from the State of Massachusetts into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

It was charged in substance in the libel that the article was adulterated for the reason that it consisted in whole or in part of a putrid animal substance.

On July 31, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



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# United States Department of Agriculture,

BUREAU OF CHEMISTRY.

C. L. ALSBERG, CHIEF OF BUREAU.

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## SERVICE AND REGULATORY ANNOUNCEMENTS. SUPPLEMENT.

N. J. 5201-5250.

[Approved by the Acting Secretary of Agriculture, Washington, D. C., January 22, 1918.]

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### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT.

[Given pursuant to section 4 of the Food and Drugs Act.]

**5201. Adulteration of pork and beans. U. S. \* \* \* v. 175 Cases of Pork and Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7564. I. S. No. 4839-1. S. No. E-661.)**

On July 3, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 175 cases, each containing 2 dozen cans of pork and beans, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about May 15, 1916, by the Elyria Canning Co., Elyria, Ohio, and transported from the State of Ohio into the State of New York, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Speedway Brand Pork and beans with Tomato Sauce \* \* \* Packed by Elyria Canning Co., Elyria, Ohio \* \* \*"

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy and decomposed vegetable substance, to wit, moldy beans.

On August 22, 1916, the said Elyria Canning Co., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$400, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5202. Adulteration of apples. U. S. \* \* \* v. 47 Cases of Apples \* \* \*.  
Default decree of condemnation, forfeiture, and destruction.  
(F. & D. No. 7565. I. S. No. 1601-m. S. No. E-663.)**

On July 5, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 47 cases, each containing 6 cans of apples, remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by C. W. Zaring, Jacksonville, Fla., and transported from the State of Florida into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act.

It was charged in substance in the libel that the article was adulterated for the reason that it consisted in part of a decomposed vegetable matter.

On August 10, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

**CARL VROOMAN, *Acting Secretary of Agriculture.***

**5203. Adulteration of potatoes. U. S. \* \* \* v. 200 Sacks of Potatoes. Consent decree of condemnation and forfeiture. Good portion released on bond, unfit portion destroyed. (F. & D. No. 7566. I. S. No. 20684-I. S. No. W-97.)**

On July 5, 1916, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 200 sacks of potatoes, consigned by the California Vegetable Union, Los Angeles, Cal., and remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about June 19, 1916, and transported from the State of California into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

It was charged in substance in the libel that the article was adulterated for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance, in that said potatoes were tunneled and infested with larvæ of tuber moth and contained live larvæ, pupæ, dead worms, live worms, and their excreta.

On July 20, 1916, Matthew J. Zeuzius, agent of the said California Vegetable Union, claimant, having filed an answer and a stipulation consenting to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the portion of potatoes fit for food should be released to said claimant upon the filing of a bond, in conformity with section 10 of the act, and the payment of the costs of the proceedings, and that the remaining portion should be destroyed by the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**5204. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 50 Cases of \* \* \* Olive Oil. Decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 7568. I. S. No. 3892-I. S. No. E-666.)**

On July 8, 1916, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information for the seizure and condemnation of 50 cases of olive oil, remaining unsold in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by Barnard Karp, New York, N. Y., and transported from the State of New York into the State of Massachusetts, the shipment having been received on or about May 5, 1916, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, putrid, and decomposed vegetable substance.

Misbranding was alleged in substance for the reason that the labels of the article bore a certain statement, to wit, "Lucca Cream Salad Olive Oil Guaranteed Strictly Pure," which was false and misleading in that said food was not pure.

On July 26, 1916, Joseph Goldenberg and Julius Hershman, trading as Goldenberg & Hershman, Boston, Mass., claimants, filed their answer, denying the allegations of the libel. On November 10, 1916, the cause having come on for hearing and having been argued by counsel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the article be delivered to said claimants upon the payment of the costs of the proceedings and the execution of a bond, in conformity with section 10 of the act, conditioned in part that said article shall be sold and used for mechanical purposes only, and not for food.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5205. Adulteration of coffee. U. S. \* \* \* v. 7 Sacks of Coffee. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7569. I. S. No. 12931-I. S. No. C-559.)**

On July 11, 1916, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 sacks, each containing 100 pounds of coffee, remaining unsold in the original unbroken packages at Detroit, Mich., alleging that the article had been shipped on December 22, 1915, by Abe Azen, Indianapolis, Ind., and transported from the State of Indiana into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that chaff had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for the article.

On January 2, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5296. Adulteration and misbranding of "Pastillo Agua Mineral Natural." U. S. \* \* \* v. 39 Cases of "Pastillo Agua Mineral Natural." Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7570. I. S. No. 3354-I. S. No. E-658.)

On July 17, 1916, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 39 cases of "Pastillo Agua Mineral Natural," remaining unsold in the original unbroken packages at San Juan, P. R., alleging that the article had been shipped on or about April 8, 1916, by Jose Romaguera, Ponce, P. R., and transported from Ponce, P. R., to San Juan, P. R., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in part of a filthy and decomposed animal substance.

It was charged in substance in the libel that the article was misbranded for the reason that the statements on the label falsely and fraudulently represented it as a preventive of gastrointestinal diseases, typhoid fever, dysentery, enteritis, etc., as a remedy for anemia, uric acid diathesis, dyspepsia, and diseases of the kidneys and bladder, and as efficacious in affections of the stomach, kidneys, and bladder, arthritis, and anemia; whereas, in fact, it was not. Misbranding was alleged for the further reason that the statement on the label, "Saturated with carbon dioxide gas," was false and misleading in that it deceived and mislead the purchaser into believing that the water was naturally charged with gas, when, as a matter of fact, it had been saturated with carbon dioxide gas by artificial means; for the further reason that the statements, "The best table water" and "Collected free from disease germs," were false and misleading in that they deceived and misled the purchaser into believing that the water was pure and wholesome, when, as a matter of fact, it was not; and for the further reason that the article was a substance in package form and failed to bear a statement (on the containers) of the quantity of contents.

On January 23, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5207. Adulteration of pork and beans. U. S. \* \* \* v. 83 Cases \* \* \* of \* \* \* Pork and Beans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7571. I. S. No. 497-1. S. No. E-667.)**

On July 12, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 83 cases of pork and beans, consigned by Hart Bros., Saginaw, Mich., and remaining unsold in the original unbroken packages at Reading, Pa., alleging that the article had been shipped and transported from the State of Michigan into the State of Pennsylvania, the shipment having been received on or about March 4, 1916, and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "White Elk Brand with tomato sauce pork and beans."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy and decomposed vegetable substance.

On July 31, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5208. Misbranding of candy. U. S. \* \* \* v. Elie Sheetz. Plea of guilty. Fine, \$100. (F. & D. No. 7573. I. S. No. 447-1.)**

On October 2, 1916, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of the District aforesaid an information against Elie Sheetz, Washington, D. C., alleging the sale by said defendant, on April 22, 1916, at the District aforesaid of a quantity of candy, which was misbranded in violation of the Food and Drugs Act. The article was labeled in part: "Elie Sheetz 505 12th St., N. W. Between Columbia Theatre and Raleigh Hotel. Washington, D. C. Old Time—Home Made Martha Washington Candies."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the sample contained no statement of net weight. The net weight of the first sample was found to be 14.92 ounces and of the second sample 15.15 ounces.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On October 2, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5209. Adulteration of oysters. U. S. \* \* \* v. David R. Dodge. Plea of nolo contendere. Fine, \$20. (F. & D. No. 7577. I. S. No. 2437-1.)**

On January 24, 1917, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against David R. Dodge, Longmeadow, R. I., alleging the shipment by said defendant, in violation of the Food and Drugs Act, on or about February 24, 1916, from the State of Rhode Island into the State of Massachusetts, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Liquor (per cent)-----	12.30
Meat (per cent)-----	87.70
Sodium chlorid in liquor (per cent)-----	0.38
Total solids in meat (per cent)-----	15.02
Ash in meat (per cent)-----	0.95
Sodium chlorid in meat (per cent)-----	0.14
Loss on boiling (per cent)-----	50.00

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith, so as to reduce or lower and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be.

On January 29, 1917, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$20.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5210. Adulteration of oysters. U. S. \* \* \* v. Emma Thomfordt (E. Thomfordt). Plea of guilty. Fine, \$20. (F. & D. No. 7578. I. S. Nos. 1161-1, 1169-1.)**

On September 27, 1916, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of the District aforesaid an information against Emma Thomfordt, trading as E. Thomfordt, Washington, D. C., alleging the sale by said defendant, on February 2, 1916, and February 4, 1916, at the District aforesaid, in violation of the Food and Drugs Act, of a quantity of oysters which were adulterated.

Analysis of a sample of the article sold February 2, 1916, by the Bureau of Chemistry of this department showed the following results:

Liquor (per cent)-----	23.2
Meat (per cent)-----	76.8
<i>Analysis of meat.</i>	
Solids (per cent)-----	13.9
Ash (per cent)-----	1.12
Chlorids as sodium chlorid (per cent)-----	0.19
Loss on boiling (per cent)-----	49.5
<i>Analysis of liquor.</i>	
Solids (per cent)-----	2.7
Ash (per cent)-----	1.12
Chlorids as sodium chlorid (per cent)-----	0.94

That sold on February 4, 1916, showed:

Liquor (per cent)-----	26.8
Meat (per cent)-----	73.2
<i>Analysis of meat.</i>	
Loss on boiling (per cent)-----	50.1
Solids (per cent)-----	15.7
Ash (per cent)-----	1.15
Chlorids as sodium chlorid (per cent)-----	0.25
<i>Analysis of liquor.</i>	
Solids (per cent)-----	2.91
Ash (per cent)-----	0.972
Chlorids as sodium chlorid (per cent)-----	0.830

The above analyses show addition of water to the oysters in each case.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be.

On September 27, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$20.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5211. Adulteration of oysters. U. S. \* \* \* v. Union Fish & Oyster Co., a corporation. Plea of guilty. Fine, \$10 and costs. (F. & D. No. 7579. I. S. No. 12232-1.)**

On September 13, 1916, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Union Fish & Oyster Co., a corporation, St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, on February 2, 1916, from the State of Missouri into the State of Illinois, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Ash in oyster liquor (per cent)-----	0.72
Total solids in drained oysters (per cent)-----	15.0
Ash in drained oyster meat (per cent)-----	0.68
Sodium chlorid in oyster meat (per cent)-----	0.03
Drained oysters, loss on boiling (per cent)-----	75.7
Sodium chlorid in oyster liquor: Trace.	

Results of this analysis show that the product contained added water.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed therewith so as to lower or reduce and injuriously affect its quality, and had been substituted in part for oysters, which the article purported to be.

On September 20, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5212. Misbranding of "Dr. O. Phelps Brown's Herbal Ointment." U. S. \* \* \* v. The Kells Co., a corporation. Plea of guilty. Fine, \$50. (F. & D. No. 7581. I. S. No. 3066-k.)**

On October 2, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Kells Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Acts, as amended, on April 10, 1915, from the State of New York into the State of Maryland, of a quantity of an article labeled in part, "Dr. O. Phelps Brown's \* \* \* Herbal Ointment," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Petrolatum (per cent)-----	98.55
Salicylic acid (per cent)-----	1.45

It was charged in substance in the information that the article was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as a cure for lame or weak back, neuralgia, sprains, sore eyes, sore throat, sore lungs, quinsy, croup, all diseases of the skin, scrofulous complaints, and piles, when, in truth and in fact, it was not.

On December 7, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5213. Misbranding of "Dr. O. Phelps Brown's Herbal Ointment." U. S. \* \* \* v. The Kells Co., a corporation. Plea of Guilty. Fine, \$50. (F. & D. No. 7582. I. S. No. 4633-1.)**

On November 28, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Kells Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on January 4, 1916, from the State of New York into the State of Maryland, of a quantity of an article labeled in part, "Dr. O. Phelps Brown's Herbal Ointment," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that this product consisted essentially of petrolatum and 0.77 per cent of salicylic acid.

It was charged in substance in the information that the article was misbranded for the reason that certain statements, appearing on its label, falsely and fraudulently represented it as a remedy for pulmonary complaints, severe pains in the stomach, spinal diseases, affections of the heart and liver, neuralgia, glandular swellings, sore throat, sharp pains in the chest, croup, pleurisy, quinsy, earache, ear ulcers, sprains, tumors, mumps, white swellings, heart palpitation, scrofula, piles, and fistula, when, in truth and in fact, it was not.

On December 7, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5214. Misbranding of "Taylor's Horehound Balsam." U. S. \* \* \* v. W. Scott Taylor (Taylor Drug & Chemical Co.). Plea of guilty. Sentence suspended. (F. & D. No. 7584. I. S. No. 1965-1.)

On October 4, 1916, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against W. Scott Taylor, trading as the Taylor Drug and Chemical Co., Trenton, N. J., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about January 25, 1916, from the State of New Jersey into the State of New York, of a quantity of an article labeled in part: "Taylor's Horehound Balsam," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	14.5
Solids (per cent) -----	48.1
Sugar as sucrose (per cent) -----	46.7
Chloroform (minims per fluid ounce) -----	2.6
Total alkaloids (per cent) -----	0.004
Chloroform extract (acid) (indicates tolu) (per cent) -----	0.02
Methyl salicylate (per cent) -----	0.06
Horehound: Present.	
Ipecac: Trace.	
Camphor: Present.	

Misbranding of the article was alleged in substance in the information, for the reason that certain statements appearing on its label falsely and fraudulently represented it as a remedy for influenza, hoarseness, and incipient consumption, as a relief for consumptive patients in advanced stages of consumption, and as a remedy for all pulmonary diseases, when, in truth and in fact, it was not.

On October 9, 1916, the defendant entered a plea of guilty to the information, and the court suspended sentence.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5215. Adulteration of tomato pulp. U. S. \* \* \* v. 110 Cans of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7585. I. S. No. 1002-m. S. No. E-669.)**

On July 24, 1916, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 110 cans of tomato pulp, remaining unsold in the original unbroken packages at Hoboken, N. J., alleging that the article had been shipped on or about May 1, 1916, by Williams Brothers Co., Detroit, Mich., and was being transported from the State of Michigan into the State of Maine, and charging adulteration in violation of the Food and Drugs Act.

It was charged in substance in the libel that the article was adulterated for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On August 14, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VBROOMAN, *Acting Secretary of Agriculture.*

**5216. Adulteration of tomato pulp. U. S. \* \* \* v. 90 Five-gallon Cans of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7586. I. S. No. 1002-m. S. No. E-670.)**

On July 21, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 90 five-gallon cans of tomato pulp, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by Williams Brothers Co., Detroit, Mich., and was being transported from the State of Michigan into the State of New York, the shipment having arrived at New York on or about May 9, 1916, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted of a filthy, decomposed, and putrid vegetable substance.

On August 11, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5217. Adulteration of canned apples. U. S. \* \* \* v. 50 Cases of Apples \* \* \*. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7589. I. S. No. 8994-m. S. No. E-671.)**

On July 22, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 50 cases, each containing 12 cans of apples, consigned on July 13, 1916, and remaining unsold in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Musselman Canning Co., Biglerville, Pa., and transported from the State of Pennsylvania into the State of Maryland, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Mountain Side Apples" (or "Musselman's Choice Apples") "Packed by The Musselman Canning Co., Biglerville, Pa."

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance, and that a very large percentage of the cans were swells and leakers.

On October 4, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5218. Adulteration and misbranding of acid acetylsalicylic and acetylsalicylic acid tablets. U. S. \* \* \* v. Maurice Gusman (Import Drug Specialties). Plea of guilty. Fine, \$75 and costs. (F. & D. No. 7593. I. S. Nos. 2359-1, 2360-1, 10671-1, 11276-1, 11324-1, 11325-1, 11326-1.)**

On November 3, 1916, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Maurice Gusman, trading as Import Drug Specialties, Cleveland, Ohio, alleging shipment by said defendant in violation of the Food and Drugs Act, on or about October 18, 1915 (2 shipments), from the State of Ohio into the State of Georgia; October 18, 1915 (3 shipments), from the State of Ohio into the State of Indiana; July 19, 1915, from the State of Ohio into the State of Maryland; and on October 16, 1915, from the State of Ohio into the State of Missouri, of quantities of articles labeled in part: "Acid Acetylo-Salicylic" and "Tablets Acetyl Ac. Salicylic," which were adulterated and misbranded.

Analyses of samples of the acid acetylsalicylic by the Bureau of Chemistry of this department showed it to be composed of milk sugar, acetanilid, potassium bitartrate, and salicylic acid.

Analyses of samples of the acetylsalicylic acid tablets by the Bureau of Chemistry showed it in two of the shipments to be composed of milk sugar, starch, salicylic acid, and acetanilid, and in two of the shipments to be composed of milk sugar, starch, salicylic acid, and phenacetin.

Adulteration of the acid acetylo-salicylic was alleged in substance in the information for the reason that it was sold as and for acid acetylo-salicylic, and its strength and purity fell below the professed standard or quality under which it was sold.

Misbranding of this article was alleged in substance for the reason that it was an imitation product, containing no acid acetylo-salicylic, and was sold under the name of another article, to wit, acid acetylo-salicylic; for the further reason that the statements appearing on the label, to wit, "Acid Acetylo-Salicylic" and "Chemische Fabrik Vorm Bohenzoller Bresleau," regarding the article and the ingredients or substances contained therein, were false and misleading in that they falsely represented that it was acid acetylo-salicylic, and that it was a foreign product, whereas, in truth and in fact, it was not, but was an imitation product of domestic origin, and contained no acid acetylo-salicylic; and for the further reason that it contained acetanilid and its package failed to bear a statement on the label of the quantity or proportion of acetanilid contained therein.

Adulteration of the tablets acetyl Ac. salicylic was alleged in substance for the reason that it was sold as and for acetyl acid salicylic, and its strength and purity fell below the professed standard or quality under which it was sold.

Misbranding of this article was alleged in substance for the reason that it was an imitation product, containing no acetyl acid salicylic (or, little, if any, acetyl acid salicylic, as the case might be), and was sold under the name of another article, to wit, acetyl acid salicylic; for the further reason in that the statement appearing on the package, to wit, "Acetyl Ac. Salicylic," regarding the article and the ingredients and substances contained therein, was false and misleading in that it falsely represented that it was acetyl acid salicylic,

whereas, in truth and in fact, it was not, but was an imitation product, and contained no acetyl acid salicylic (or, little, if any, acetyl acid salicylic); and for the further reason in the case of two of the shipments that it contained acetanilid and the package failed to bear a statement on the label of the quantity or proportion of acetanilid contained therein.

On February 1, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$75.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5219. Adulteration and misbranding of cocoa. U. S. \* \* \* v. 5 Barrels  
\* \* \* of \* \* \* Cocoa. Consent decree of condemnation and  
forfeiture. Product ordered released on bond. (F. & D. No. 7597.  
I. S. Nos. 626-l, 1206-m. S. No. E-674.)

On July 28, 1916, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 barrels, each containing 200 pounds of cocoa, remaining unsold in the original unbroken packages at Elmira, N. Y., alleging that the article had been shipped on June 13, 1916, by the Meyer & Carmody Import Co., Hoboken, N. J., and transported from the State of New Jersey into the State of New York, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Jersey Pride Brand Cocoa \* \* \*."

Adulteration of the article was alleged in substance in the libel for the reason that a substance, to wit, ground cocoa shells, had been mixed and packed therewith so as to reduce and lower the strength and quality and injuriously affect the same, and had been substituted in part for cocoa.

Misbranding was alleged in substance for the reason that the statement on the label, to wit, "Jersey Pride Brand Cocoa," regarding the article and the ingredients and substances contained therein, was false and misleading in that it lead one to believe that the contents of said barrels consisted only of cocoa, whereas, in fact, said barrels actually contained a mixture of cocoa and ground cocoa shells.

On August 8, 1916, H. B. Stollwerck, trading as the Victor Chocolate Works, Elmira, N. Y., the owner of the product, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said owner upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5220. Adulteration of oats. U. S. \* \* \* v. John S. McDonald and Morris J. McDonald (McDonald & Co.). Plea of guilty. Fine, \$200 and costs. (F. & D. No. 7600. I. S. Nos. 11692-k, 11697-k, 11698-k, 11699-k, 16109-k, 16110-k.)**

On November 17, 1916, the grand jurors of the United States, within and for the District of Indiana, acting upon a report by the Secretary of Agriculture, upon presentment by the United States attorney for said district, returned an indictment against John S. McDonald and Morris J. McDonald, trading as McDonald & Co., New Albany, Ind., charging shipment by said defendants, in violation of the Food and Drugs Act, on May 29, 1915, from the State of Indiana into the State of Alabama, and on June 1, 1915, from the State of Indiana into the States of Tennessee, North Carolina, Georgia, and Alabama, respectively, of quantities of oats, which article was adulterated. The article was labeled in part: " \* \* \* Purified Oats \* \* \*," except one shipment which was unlabeled.

Analysis of a sample of the article in each shipment by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article in each shipment was charged in the indictment for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oats, which the article purported to be.

On December 4, 1916, the defendants entered pleas of guilty to the indictment, and the court imposed a fine of \$200 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*



5221. Adulteration and misbranding of sweet cider. U. S. \* \* \* v. William H. Barrett (Barrett & Barrett). Plea of not guilty. Tried to the court. Finding of guilty. Fine, \$40 and costs. (F. & D. No. 7601. I. S. Nos. 11548-1, 11552-1.)

On September 27, 1916, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William H. Barrett, trading as Barrett & Barrett, Chicago, Ill., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about January 31, 1916, and February 28, 1916, from the State of Illinois into the State of Iowa, of quantities of sweet cider which was adulterated and misbranded. The first shipment was labeled in part: "Barrett & Barrett, Chicago, York State New Sweet Cider." The second shipment was labeled in part: "Barrett & Barrett New Sweet Cider Chicago."

Analysis of a sample of the article from each shipment, by the Bureau of Chemistry of this department, showed the article to contain added sugar and added water.

Adulteration of the article was alleged in the information for the reason that certain substances, to wit, water and sugar, had been mixed and packed with the article so as to lower, reduce, and injuriously affect its quality and strength; and had been substituted in part for sweet cider, which the article purported to be.

Misbranding was alleged for the reason that the statement, to wit, "Sweet Cider," borne on the half barrels containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it falsely represented that said article was pure sweet cider, whereas, in truth and in fact, said article was not pure sweet cider, but was an imitation product, to wit, a mixture consisting of cider, added water, and sugar; for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of another article, to wit, sweet cider; and for the further reason that it was labeled, "Sweet Cider," so as to deceive and mislead purchasers into the belief that it was sweet cider, whereas, in truth and in fact, it was not, but was an imitation product, to wit, a mixture consisting of cider, added water, and sugar.

On October 11, 1916, the defendant entered a plea of not guilty to the information. On October 23, 1916, the case came on to be heard, and a jury having been waived, was tried by the court. After submission of evidence and arguments by counsel, a finding of guilty was made by the court, and a fine of \$40 and costs was imposed.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5222. Misbranding of evaporated apples. U. S. \* \* \* v. J. W. Teasdale & Co., a corporation. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 7602. I. S. Nos. 11013-1, 11035-1, 11129-1, 11137-1, 11012-1.)**

On October 14, 1916, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. W. Teasdale & Co., a corporation, doing business at St. Louis, Mo., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about October 26, 1915 (2 shipments), and November 11, 1915, from the State of Missouri into the State of Louisiana, and on or about September 11, 1915, and November 5, 1915, from the State of Missouri into the State of Texas, of quantities of evaporated apples which were misbranded. The article was variously labeled in part: "Banner Brand New York State Style (or "Crown and Monarch Brand" or "Our Own Special Brand," as the case might be) "Dried or Evaporated Product of Apples \* \* \*" (or "Evaporated or Dried Product of Apples \* \* \*").

Misbranding of the article in each shipment was alleged in the information for the reason that it consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On November 6, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5223. Adulteration of eggs. U. S. \* \* \* v. 188 Cases of Shell Eggs. Consent decree of condemnation and forfeiture. Product ordered released on bond to be sorted. (F. & D. No. 7604. I. S. No. 8934-m. S. No. E-676.)**

On July 26, 1916, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 188 cases, each containing 30 dozen eggs, consigned by S. F. Holcomb, Hollow Rock Junction, Tenn., and remaining unsold in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped on or about July 12, 1916, and transported from the State of Tennessee into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On August 25, 1916, the said S. F. Holcomb, claimant, having filed an answer admitting the averments of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the eggs should be recandled under the supervision of the chief of the Philadelphia Laboratory of the Bureau of Chemistry and the bad eggs destroyed, and that the good portion should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5224. Misbranding of "Breeden's Rheumatic Cure." U. S. \* \* \* v. Carroll C. Breeden (Breeden Medicine Co.). Plea of guilty. Fine, \$25 and costs. (F. & D. No. 7605. I. S. No. 11141-1.)**

On September 22, 1916, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against Carroll C. Breeden, trading as the Breeden Medicine Co., Memphis, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about November 9, 1915, from the State of Tennessee into the State of Texas, of a quantity of an article labeled in part, "Breeden's Rheumatic Cure," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Iodin as potassium iodid (gram per 100 cc)-----	1.00
Alcohol (per cent by volume)-----	12.60
Odor like that of extract colchicum seed.	
Qualitative test for guaiac: Positive.	
Taste indicates presence of colocynth.	

The results of analysis show that the product is essentially a hydroalcoholic solution of potassium iodid with guaiac and probably extract of colchicum seed and colocynth.

It was charged in substance in the information that the article was misbranded for the reason that certain statements on its label falsely and fraudulently represented it as a cure for rheumatism, when, in truth and fact, it was not.

On December 4, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5225. Misbranding of macaroni. U. S. \* \* \* v. Cosimo Catalano. Plea of nolo contendere. Fine, \$10 and costs. (F. & D. No. 7606. I. S. No. 763-k.)**

On November 3, 1916, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Cosimo Catalano, Cleveland, Ohio, alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about February 15, 1915, from the State of Ohio into the State of Massachusetts, of a quantity of an article labeled in part, "Pure Neapolitan Macaroni \* \* \* Gragnano Style," which was misbranded.

Investigation by the Bureau of Chemistry of this department showed that the article was manufactured at Cleveland, Ohio.

Misbranding of the article was alleged in the information for the reason that the statement appearing on the label, regarding the article and the ingredients and substances contained therein, to wit, "Pure Neapolitan Macaroni \* \* \* Gragnano Style," not corrected by the following statement in inconspicuous type on the said label, "Manufactured by the Ohio Egg Noodle and Macaroni Co. Cleveland, Ohio," was false and misleading in that it indicated to purchasers thereof that the article was macaroni which had been manufactured in the Kingdom of Italy; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it had been manufactured in the Kingdom of Italy, when, in truth and in fact, it had not. Misbranding was alleged for the further reason that the article was a domestic product, and had been manufactured in the United States of America, to wit, the city of Cleveland, State of Ohio, and purported to be of foreign origin, to wit, a product of the Kingdom of Italy.

On January 31, 1917, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$10 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5226. Adulteration of oysters. U. S. \* \* \* v. Alexander Frazer Co., a corporation. Plea of guilty. Fine, \$5. (F. & D. No. 7607. I. S. No. 1689-1.)**

On October 2, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district, an information against Alexander Frazer Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on January 12, 1916, from the State of New York into the State of Pennsylvania, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of added water.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for oysters, which the article purported to be.

On December 11, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5227. Adulteration of oysters. U. S. \* \* \* v. Alexander Frazer Co., a corporation. Plea of guilty. Fine, \$5. (F. & D. No. 7608. I. S. No. 1697-1.)

On October 2, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Alexander Frazer Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on January 19, 1916, from the State of New York into the State of Pennsylvania, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of added water.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for oysters, which the article purported to be.

On December 11, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**522S. Adulteration of oysters. U. S. \* \* \* v. Alexander Frazer Co., a corporation. Plea of guilty. Fine, \$5. (F. & D. No. 7609. I. S. No. 4119-1.)**

On October 2, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Alexander Frazer Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on February 2, 1916, from the State of New York into the State of Pennsylvania, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the presence of added water.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for oysters, which the article purported to be.

On December 11, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5229. Adulteration and misbranding of cider. U. S. \* \* \* v. 15 Barrels of Cider. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7611. I. S. No. 21206-m. S. No. W-99.)**

On August 3, 1916, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel and thereafter an amended libel for the seizure and condemnation of 15 barrels of cider, consigned by Jones Bros. & Co., Portland, Oreg., and remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped on July 14, 1916, and transported from the State of Oregon into the State of Washington, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled: "Jones Bros. & Co., Portland, Ore., Pure Sweet Apple Cider."

Adulteration of the article was alleged in the libel for the reason that there had been added to said product a quantity of water in the amount of approximately 50 per cent of the total quantity of said 15 barrels of cider with the effect and result that the quality of said article had been reduced and injuriously affected.

Misbranding was alleged in substance for the reason that the representation and statements contained in said design or label were false, misleading, and untrue in that they gave the impression that the article was pure, sweet apple cider, containing no added foreign substance, when in fact it was not.

On September 20, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

*CARL VROOMAN, Acting Secretary of Agriculture.*

**5230. Adulteration and misbranding of bran. U. S. \* \* \* v. Leavenworth Milling Co., a corporation. Plea of guilty. Fine, \$25 and costs. (F. & D. No. 7612. I. S. No. 19080-1.)**

On September 29, 1916, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Leavenworth Milling Co., a corporation, Leavenworth, Kans., alleging shipment by said company, in violation of the Food and Drugs Act, on or about September 27, 1915, from the State of Kansas into the State of Indiana, of a quantity of an article labeled in part, "Mill Run Bran," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Screenings (per cent)----- 4.1

The product contains added screenings.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, screenings, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for mill-run bran, which the article purported to be.

Misbranding was alleged for the reason that the article was a mixture of, to wit, wheat bran, wheat middlings, and ground screenings, and was an imitation of, and was offered for sale under the distinctive name of, another article, to wit, mill-run bran.

On December 14, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5231. Adulteration of oysters. U. S. \* \* \* v. J. & J. W. Ellsworth Co., a corporation. Plea of nolo contendere. Fine, \$75. (F. & D. No. 7613. I. S. Nos. 1681-1, 4106-1.)**

On September 25, 1916, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the J. & J. W. Ellsworth Co., a corporation, Keyport, N. J., alleging shipment by said company, in violation of the Food and Drugs Act, on or about January 6, 1916, and January 26, 1916, from the State of New Jersey into the State of Pennsylvania, of quantities of oysters which were adulterated.

Analyses of samples of the article by the Bureau of Chemistry of this department showed the following results:

	No. 1.	No. 2.
Meat (per cent)-----	86.3	88.5
Liquor (per cent)-----	13.7	11.5
Solids in meat (per cent)-----	16.60	15.33
Ash in meat (per cent)-----	1.09	1.02
Sodium chlorid in liquor (per cent)-----	0.22	0.18
Sodium chlorid in meat (per cent)-----	0.02	0.02
Loss on boiling (per cent)-----	44.3	51.5

Analysis indicates the addition of water.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith, so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in whole or in part for oysters, which the article purported to be.

On May 2, 1917, the defendant company entered a plea of nolo contendere to the information, and the court imposed a fine of \$75.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5232. Adulteration of spring water. U. S. \* \* \* v. 600 Cases of Spring Water. Consent decree of condemnation, forfeiture, and destruction. Containers released to claimant. (F. & D. No. 7615. I. S. Nos. 12919-l, 11704-m. S. No. C-562.)**

On August 7, 1916, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 600 cases of spring water, remaining unsold in the original unbroken packages at Detroit, Mich., alleging that the article had been shipped on May 3, 1916, by the Veronica Medicinal Springs Water Co., Santa Barbara, Cal., and transported from the State of California into the State of Michigan, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Veronica Natural Medicinal Spring Water."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted, in whole or in part, of a filthy, decomposed, and putrid matter.

On February 8, 1917, the case having come on for final disposition, upon motion of the said Veronica Medicinal Springs Water Co., claimant, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the contents of the bottles be destroyed by the United States marshal, and that the empty bottles be returned to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$500, conditioned upon the faithful performance of its undertaking to use the said bottles only to contain such goods as are in compliance with the Food and Drugs Act.

**CARL VROOMAN, Acting Secretary of Agriculture.**

**5233. Adulteration of eggs. U. S. \* \* \* v. 47 Crates of Eggs. Consent decree of condemnation and forfeiture. Good portion released on bond. Unfit portion destroyed. (F. & D. No. 7616. I. S. No. 1702-m. S. No. E-677.)**

On August 1, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 47 crates, each containing 30 dozen eggs, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about July 25, 1916, by the Griffis Produce Co., Delphos, Ohio, and transported from the State of Ohio into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted particularly [in part] of a filthy, decomposed, and putrid animal substance.

On August 2, 1916, J. Narzisenfeld, New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the goods should be redelivered to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$200, in conformity with section 10 of the act, conditioned in part that said eggs should be sorted out under the supervision of the Department of Agriculture, and that the portion found unfit for food should be destroyed and the balance disposed of according to law.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5234. Misbranding of "Sulphur Bitters." U. S. \* \* \* v. Allen P. Ordway  
(A. P. Ordway & Co.). Plea of guilty. Fine, \$25. (F. & D. No. 7621.  
I. S. No. 3321-L.)

On October 2, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Allen P. Ordway, trading as A. P. Ordway & Co., New York, N. Y., alleging the sale by said defendant, on June 8, 1915, in violation of the Food and Drugs Act, as amended, under a guaranty that the article was not misbranded within the meaning of the said act as amended, of a quantity of "Sulphur Bitters", which was a misbranded article within the meaning of the said act, as amended, and which said article, in the identical condition in which it was received, was shipped by the purchaser thereof, on or about June 12, 1915, from the State of New York into the Island of Porto Rico, in further violation of said act as amended. The article was labeled in part: "\* \* \* Dr. Kaufmann's Sulphur Bitters \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)----- 21.4  
Wild cherry: Indicated.  
Emodin: Present.  
Aloes: Present.  
Sulphur: Present in suspension.

It was charged in substance in the information that the article was misbranded for the reason that certain statements on its label falsely and fraudulently represented it as a remedy for dyspepsia, piles, dysentery, pains in the head, tapeworms, gout, scrofula and scrofulous humors, hay fever, rheumatism, neuralgia, malarial fever, cancer, diseases of the liver, skin diseases, pains in the back, side, and shoulders, the elimination from the system of all remnants of scrofula, affections of the skin, erysipelas, venereal diseases, headaches, hemorrhoids, chronic rheumatism, and catarrh, as a preventive of consumption, and effective to produce beneficial effects in all infirmities peculiar to women, for the young or old, married or single, as a remedy for leucorrhea, painful menstruation, falling of the uterus, sterility, suppression, urinary troubles, and all ulcerations of the uterus and vagina, indigestion, dropsy, pustules, headache, and diseases of the kidneys, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that certain statements included in the booklet accompanying the article falsely and fraudulently represented it as a treatment and remedy for psoriasis, herpes, erysipelas, tinea, carbuncles, pemphigus rupia, diabetes, scrofula, ulceration of the eyes, scurvy, and syphilis, and malarial and intermittent fevers; and as effective to eliminate and to start the elimination of ulcers from the stomach, to prevent the recurrence of syphilis, and to neutralize the malarial causes, and as a treatment for diseases of the nerves, when, in truth and in fact, it was not.

On November 20, 1916, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5235. Misbranding of candy. U. S. \* \* \* v. Walter Brownley. Plea of nolo contendere. Fine, \$50. (F. & D. No. 7625. I. S. No. 444-L.)**

On May 14, 1917, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the police court of said District an information against Walter Brownley, Washington, D. C., alleging the sale by the said defendant at the District aforesaid, in violation of the Food and Drugs Act, as amended, on April 22, 1916, of a quantity of candy which was misbranded.

Misbranding of the article was alleged in the information for the reason that it consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On May 14, 1917, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5236. Adulteration and misbranding of vinegar. U. S. \* \* \* v. 37 Barrels \* \* \* of Vinegar. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7628. I. S. No. 1799-1. S. No. E-678.)**

On August 8, 1916, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 37 barrels of vinegar, consigned by the Cumberland Valley Fruit Product Co., Martinsburg, W. Va., remaining unsold in the original unbroken packages at Johnstown, Pa., alleging that the article had been shipped on or about January 14, 1916, and transported from the State of West Virginia into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Cumberland Valley Fruit Product Co., Martinsburg, W. Va., \* \* \* Fermented Pure Apple Cider Vinegar \* \* \*."

Adulteration of the article was alleged in substance in the libel for the reason that dilute acetic acid or distilled vinegar, added water, and mineral matter had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for said article.

Misbranding was alleged for the reason that the article was an imitation of and offered for sale under the distinctive name of another article.

On February 8, 1917, the said Cumberland Valley Fruit Product Co., having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act.

CARL VROOMAN, *Acting Secretary of Agriculture.*

5237. Adulteration of oysters. U. S. \* \* \* v. Pausch Brothers Oyster Co., a corporation. Plea of guilty. Fine, \$5. (F. & D. No. 7629. I. S. No. 10366-L.)

On October 2, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Pausch Brothers Oyster Co., a corporation, Port Chester, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on January 14, 1916, from the State of New York into the State of Minnesota, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oysters which the article purported to be.

On December 11, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5238. Adulteration of oysters. U. S. \* \* \* v. The Pausch Brothers Oyster Co., a corporation. Plea of guilty. Fine, \$5. (F. & D. No. 7632. I. S. No. 10388-L.)**

On October 2, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Pausch Brothers Oyster Co., a corporation, Port Chester, N. Y., alleging the shipment by said company, in violation of the Food and Drugs Act, on February 28, 1916, from the State of New York into the State of Minnesota, of a quantity of oysters which were adulterated.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained added water.

Adulteration of the article was alleged in the information for the reason that a certain substance, to wit, water, had been mixed and packed therewith so as to reduce, lower, and injuriously affect its quality and strength, and had been substituted in part for oysters, which the article purported to be.

On December 11, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$5.

*CARL VBROOMAN, Acting Secretary of Agriculture.*

**5239. Adulteration of eggs. U. S. \* \* \* v. 30 Cases of Eggs. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7634. I. S. No. 1209-m. S. No. E-679.)**

On August 3, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 30 cases, each containing 30 dozen eggs, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about July 29, 1916, by the Fry Produce Co., Greenville, Tenn., and transported from the State of Tennessee into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance, to wit, at least 20 per cent of rotten and spotted eggs.

On August 3, 1916, Floyd B. Godley, agent for W. W. Elzea, New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act, conditioned in part that the eggs should be sorted under the supervision of this department, and that the portion found to be unfit for food should be destroyed by the United States marshal and the balance disposed of according to law.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5240. Misbranding of "Dr. DeWitt's Eclectic Cure" and "Dr. DeWitt's Liver, Blood and Kidney Remedy," U. S. \* \* \* v. W. J. Parker. (W. J. Parker Co.). Plea of nolo contendere. Fine, \$40 and costs. (F. & D. No. 7636. I. S. Nos. 3614-1, 3615-1.)**

On October 10, 1916, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against W. J. Parker, trading as the W. J. Parker Co., Baltimore, Md., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about April 10, 1916, from the State of Maryland into the State of Georgia, of quantities of articles labeled in part, "Dr. DeWitt's Eclectic Cure" and "Dr. DeWitt's Liver, Blood and Kidney Remedy," which were misbranded.

Analysis of a sample of the "Eclectic Cure" by the Bureau of Chemistry of this department showed that it consisted essentially of alcohol, water, ether, oil of sassafras, capsicum, and opium alkaloids, with lobelia indicated.

Misbranding of this article was alleged in substance in the information for the reason that certain statements, appearing on its labels and included in the circular or pamphlet accompanying it, falsely and fraudulently represented it as a remedy and cure for cholera, diarrhea, indigestion, neuralgia, headache, sore throat, rheumatism, cholera morbus, and sprains, and as effective for the relief of diphtheria, and as a remedy for cholera infantum, when, in truth and in fact, it was not.

Analysis of a sample of the "Liver, Blood and Kidney Remedy" by said Bureau of Chemistry showed that it consisted essentially of a hydroalcoholic extract of buchu and rhubarb, with the iodids, nitrates, chlorids, and sulphates of magnesium, calcium, sodium, and potassium.

Misbranding of this article was alleged in substance for the reason that certain statements appearing on its labels aforesaid, and included in the circular or pamphlet accompanying it, falsely and fraudulently represented it as effective for the relief of Bright's disease, diabetes, retention of the urine, malaria, pains under the shoulder blades, back, and sides, all diseases arising from derangement of the liver and kidneys, and scrofula, for restoring diseased kidneys to healthy action, for the relief of pains in the back of the head, abdomen, and back, and sick headache, as a preventive and remedy for kidney diseases, and as a remedy for female weakness, when, in truth and fact, it was not.

On October 10, 1916, the defendant entered a plea of nolo contendere to the information, and the court imposed a fine of \$40 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5241. Adulteration of eggs. U. S. \* \* \* v. 20 Cases of Shell Eggs. Consent decree of condemnation and forfeiture. Product ordered released on bond. (F. & D. No. 7637. I. S. No. 21408-m. S. No. W-100.)**

On August 12, 1916, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cases of shell eggs, consigned by the Green Poultry Co., Haigler, Nebr., on July 31, 1916, and remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped and transported from the State of Nebraska into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of filthy, putrid, and decomposed matter.

On September 23, 1916, the Proudfit-Ormsby Commission Co., claimant, having admitted the allegations in the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the United States marshal should release to said claimant the 14 cases and 6 dozen of eggs which were found to be fit for food, a good and sufficient bond having been filed, in conformity with section 10 of the act, and that the remainder of said product should be destroyed.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5242. Adulteration of eggs. U. S. \* \* \* v. 20 Cases of Eggs. Consent decree of condemnation and forfeiture. Good portion released on bond. Unfit portion destroyed. (F. & D. No. 7638. I. S. No. 1213-m. S. No. E-680.)**

On August 9, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cases, each containing 30 dozen eggs, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about August 2, 1916, by C. R. Antney, Sanborn, Ind., and transported from the State of Indiana into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance, to wit, at least 21 per cent of rotten and spotted eggs.

On August 10, 1916, the R. B. Shimer & Co., New York, N. Y., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$400, in conformity with section 10 of the act, conditioned in part that the eggs should be sorted out under the supervision of the Department of Agriculture, and that the portion found unfit for food should be destroyed and the balance disposed of according to law.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5243. Adulteration of eggs. U. S. \* \* \* v. 10 Cases of Shell Eggs. Consent decree of condemnation and forfeiture. Good portion released. Unfit portion destroyed. (F. & D. No. 7639. I. S. No. 21410-m. S. No. W-101.)**

On August 15, 1916, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 cases, each containing 30 dozen shell eggs, consigned by C. M. Hungerford, Grant, Nebr., and remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about July 31, 1916, and transported from the State of Nebraska into the State of Colorado, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of filthy, putrid, and decomposed matter.

On September 23, 1916, Charles C. Martin, Denver, Colo., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the portion of the eggs found to be fit for food should be released to said claimant, and that the remainder should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5244. Adulteration of olives. U. S. \* \* \* v. Stylialos Moscahlades and Socrates Moscahlades (Moscahlades Bros.). Pleas of guilty. Fine, \$5. (F. & D. No. 7642. I. S. No. 421-1.)**

On October 2, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Stylialos Moscahlades and Socrates Moscahlades, trading as Moscahlades Bros., New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, on March 16, 1916, from the State of New York into the State of Pennsylvania, of a quantity of olives which were adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed a large proportion of wormy olives.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On December 19, 1916, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5245. Adulteration and misbranding of lemon pie filling. U. S. \* \* \* v. Boyd Fruit Sugar Co., a corporation. Plea of guilty. Fine, \$5. (F. & D. No. 7644. I. S. No. 1400-k.)**

On November 21, 1916, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Boyd Fruit Sugar Co., a corporation, Brooklyn, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on or about December 7, 1914, from the State of New York into the State of Pennsylvania, of a quantity of lemon pie filling which was adulterated and misbranded. The article was labeled in part: "\* \* \* Boyd's Original and Genuine Lemon Pie Filling \* \* \*."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Color: Naphthol yellow S. and orange I.  
 Acids as tartaric (per cent)----- 2.21  
 Citric acid: Absent.  
 Tartaric acid: Present.  
 Lemon oil: Absent.  
 Citral: Present.

The above examination shows that the article was cornstarch flavored with citral and tartaric acid and colored with coal-tar dyes.

Microscopic examination shows the product to consist essentially of cornstarch.

Adulteration of the article was alleged in the information for the reason that an imitation lemon pie filling, consisting essentially of cornstarch, flavored with citral and tartaric acid and artificially colored, had been substituted in whole or in part for genuine lemon pie filling, which the article purported to be; and for the further reason that it was an inferior product. to wit, an imitation lemon pie filling consisting essentially of cornstarch, flavored with citral and tartaric acid, and had been colored in a manner whereby its inferiority to genuine lemon pie filling was concealed.

Misbranding was alleged for the reason that the statement regarding the article, appearing in its label, to wit, "\* \* \* Boyd's Original and Genuine Lemon Pie Filling," was false and misleading in that it indicated to purchasers thereof that the article was genuine lemon pie filling; and for the further reason that the article was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was genuine lemon pie filling, when, in truth and in fact, it was not, but was, to wit, an imitation lemon pie filling, consisting essentially of cornstarch flavored with citral and tartaric acid and artificially colored; and for the further reason that the article was such imitation lemon pie filling and was offered for sale under the distinctive name of another article, to wit, genuine lemon pie filling.

On January 2, 1917, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$5.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5246. Adulteration of horse beans. U. S. \* \* \* v. Adolph Koshland. Plea of not guilty. Tried to the court and a jury. Verdict of guilty. Fine, \$150. (F. & D. No. 7645. I. S. Nos. 2511-1, 2515-1, 3507-1.)**

On October 2, 1916, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Adolph Koshland, San Francisco, Cal., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 26, 1915, and December 18, 1915, and transported from the State of California into the State of New York, of quantities of horse beans which were adulterated.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed vegetable substance.

On October 14, 1916, the defendant entered a plea of not guilty to the information. On January 5, 1917, the case having come on for trial before the court and a jury, after the submission of evidence and arguments by counsel, the jury was charged as follows by the court (Dooling, *D. J.*):

Gentlemen of the jury: the defendant is charged in an information, filed October 2nd, 1916, with a violation of the Act of Congress of June 30th, 1906, known as the Food and Drugs Act.

It is charged that the defendant did unlawfully ship and deliver for shipment from the City and County of San Francisco, State of California, to the city of New York, State of New York, with instructions to notify James Chieves & Company, a certain consignment, to wit, six hundred and twelve sacks containing an article designed and intended to be used as an article of food, to wit, horse beans, which were, then and there, unlabeled; that said article of food, when shipped and delivered for shipment as aforesaid, was then and there adulterated in that it consisted in whole or in part of a filthy, putrid, and decomposed vegetable substance.

The second count of the information charges a violation of the same statute, at the same time and place the consignment therein being seven hundred and seven sacks of horse beans, which were adulterated in the same manner as the beans charged in the first count.

In the third count it is charged in the same manner as aforesaid, that at the same time and place a consignment of horse beans, nine hundred and twelve sacks labeled, marked, and branded "Monte 418" "20567" and "A", was shipped unlawfully, and also were adulterated. The act provides:

"Any person who shall ship or deliver for shipment from any state or territory to any other state or territory any article adulterated within the meaning of the act, shall be guilty of a misdemeanor."

If as much as 25 per cent of the beans in question contained weevil, larvae or grubs, such beans would be filthy within the meaning of the statute.

The act nowhere requires proof of intention by the use of the words knowingly, wilfully, or like words. It would be destructive of the act itself and nullify it entirely to allow the intent of the person violating it to be considered as a defense; it is therefore unnecessary to prove that the defendant had knowledge that the article shipped by him was obnoxious to some provision of the act. He is charged with a knowledge of the condition of the article.

The fact that the defendant did not intend to violate the law is not a question here. The question is, was the law in fact violated.

For the purpose of the act an article shall be deemed to be adulterated: if it consists in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance. The shipment of the beans here is admitted, and the question for you to determine is whether they were adulterated within the meaning of the act.

The food and drugs act provides that:

"Any person who shall ship or deliver for shipment from any state or territory to any other state or territory any article adulterated within the meaning of the act, shall be guilty of a misdemeanor."

The burden of proof in this case is upon the Government, and it is not necessary for a defendant to offer evidence in disproof of any allegation of the information until the facts proven, if unrefuted by him, are sufficient to

establish his guilt, beyond a reasonable doubt. The law presumes the innocence of a defendant, and that presumption abides with him through the trial and extends to every fact necessary to constitute the offense, and continues until his guilt is finally established by the evidence beyond a reasonable doubt, and determined by your verdict. A reasonable doubt arises when the jury, after a fair and impartial consideration of all the evidence in the case, are unable to say that they feel an abiding conviction to a moral certainty of the truth of the charge; a certainty which satisfies the reason and directs the understanding of those who are bound to act conscientiously upon it. If, therefore, after a full consideration of all the evidence presented, the jury entertain such a doubt as to any fact or element necessary to constitute the offense charged, they must resolve that doubt in his favor by an acquittal. That it to say, if you have any doubt as to whether the beans were shipped by him, or any doubt as to whether they were adulterated within the meaning of the statute, you must give the benefit of that doubt to the defendant. But you will not understand from this that the Government is called upon to make a case free from any possible doubt, that is, to prove the defendant's guilt to an unassailable demonstration. Such is not the law, for such proof is rarely obtainable in dealing with human transactions. In other words, the doubt which will justify your hesitation must be based in reason and arise upon the evidence and not consist of a mere fanciful hesitation growing out of your sympathies, or based upon something other than a fair and impartial consideration of the evidence in the case.

The purpose of this act is to protect the public from the manufacture, sale, or transportation of adulterated or misbranded [foods and drugs] or [those] below a certain standard. The burden is upon the seller or shipper to know the condition of the article which he ships.

It takes the concurrence of all of you gentlemen to agree upon a verdict, and when you have so agreed you will have such verdict signed by your foreman and returned into court.

(The jury returned at 4:20 o'clock P. M., into court for further instructions.)

THE COURT: Q. Gentlemen, have you reached a verdict?

A JUROR. A. We would like to have the instructions re-read.

THE COURT. I have stated the contents of the information which you have in your possession. The Food and Drugs Act provides that:

"Any person who shall ship or deliver for shipment from any state or territory to any other state or territory any article adulterated within the meaning of the act, shall be guilty of a misdemeanor."

For the purpose of the act an article shall be deemed to be adulterated: if it consists in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance.

The shipment of the beans here is admitted, and the question for you to determine whether they were adulterated within the meaning of the act.

It is the opinion of the Court that if as much as 25 per cent of the beans in question contained weevil, larvae, or grubs, such beans would be filthy within the meaning of the statute.

The act nowhere requires proof of intention by the use of the words knowingly, wilfully, or like words. It would be destructive of the act itself and nullify it entirely to allow the intent of the person violating it to be considered as a defense; it is therefore unnecessary to prove that the defendant had knowledge that the article shipped by him was obnoxious to some provision of the act. He is charged with a knowledge of the condition of the article.

The fact that the defendant did not intend to violate the law is not a question here. The question is, was the law violated?

You have been instructed that the burden of proof is upon the Government, and it is not necessary for a defendant to offer evidence in disproof of any allegation of the information until the facts proven, if unrefuted by him, are sufficient to establish his guilt, beyond a reasonable doubt. The law, presumes the innocence of a defendant, and that presumption abides with him throughout the trial and extends to every fact necessary to constitute the offense, and continues until his guilt is finally established by the evidence beyond a reasonable doubt, and determined by your verdict. But you will not understand from this that the Government is called upon to make a case free from any possible doubt, that is, to prove the defendant's guilt to an unassailable demonstration. Such is not the law, for such proof is rarely obtainable in dealing with human transactions. In other words, the doubt which will justify your

hesitation must be based in reason and arise upon the evidence and not consist of a mere fanciful hesitation growing out of your sympathies, or based upon something other than a fair and impartial consideration of the evidence in the case. The question is whether these goods were shipped in Interstate Commerce by the defendant, and whether they were adulterated within the meaning of the act. If you find they were so shipped you should bring in a verdict of guilty, and if you have any reasonable doubt it is your duty to return a verdict of not guilty.

It requires the concurrence of all of you to agree upon a verdict, and if you so agree you will have such verdict signed by your foreman and returned into court.

Thereupon the jury retired and after due deliberation returned a verdict of guilty, and the court imposed a fine of \$150.

CARL VROOMAN, *Acting Secretary of Agriculture.*



5247. Misbranding of "Alkavis." U. S. \* \* \* v. M. Agnes Jamieson (The Alkavis Co.). Plea of guilty. Fine, \$50. (F. & D. No. 7646. I. S. No. 11265-1.)

On October 26, 1916, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against M. Agnes Jamieson, trading as the Alkavis Co., Detroit, Mich., alleging shipment by said defendant, in violation of the Food and Drugs Act, as amended, on or about June 4, 1915, from the State of Michigan into the State of Ohio, of a quantity of an article labeled in part, "Alkavis," which was misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it was essentially a solution containing potassium nitrate, sodium benzoate, glycerin, and vegetable extractives.

It was charged in substance in the information that the article was misbranded for the reason that certain statements appearing on its label falsely and fraudulently represented it as a remedy for diseases of the kidneys, liver, and urinary organs, and blood impurities due to defective action of the kidneys, when, in truth and in fact, it was not.

On January 2, 1917, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5248. Adulteration of fava beans. U. S. \* \* \* v. 368 Bags of Fava Beans. Consent decree of condemnation and forfeiture. Product ordered released on bond to be cleaned. (F. & D. No. 7647. I. S. No. 21104-m. S. No. W-102.)**

On August 16, 1916, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 368 bags of fava beans, remaining unsold in the original unbroken packages at Salt Lake City, Utah, alleging that the article had been shipped on or about August 11, 1916, by the Pacific Coast Steamship Co., San Francisco, Cal., and transported from the State of California into the State of Utah, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it was wormy and infested with weevils.

On September 30, 1916, L. S. Nachman, Chicago, Ill., claimant, having admitted the allegation contained in the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,700, in conformity with section 10 of the act, the product should be released to said claimant.

CARL VROOMAN, *Acting Secretary of Agriculture.*



**5249. Adulteration of cocoa. U. S. \* \* \* v. 5 Barrels of Cocoa. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 7650. I. S. No. 21103-m. S. No. W-105.)**

On August 16, 1916, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 5 barrels of cocoa, remaining unsold in the original unbroken packages at San Francisco, Cal., alleging that the article had been shipped on or about June 30, 1916, by T. M. Duche & Sons, New York, N. Y., and transported from the State of New York into the State of California, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it contained at least 14 per cent added shells.

On September 5, 1916, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*

**5250. Adulteration and misbranding of "Pastillo Natural Mineral Water."**  
 U. S. \* \* \* v. **Alferdo Ferran and Ramon Dapena (Ferran & Dapena).** Plea of *nolo contendere*. Fine, \$50 and costs. (F. & D. No. 7652. I. S. No. 3331-1.)

On December 12, 1916, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Alferdo Ferran and Ramon Dapena, trading as Ferran & Dapena, Ponce, P. R., alleging the sale by said defendants at the district aforesaid, in violation of the Food and Drugs Act, as amended, on or about November 20, 1915, of a quantity of an article labeled in part, "Pastillo Natural Mineral Water," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results expressed as milligrams per liter:

*Ions.*

Sulphuric acid ( $\text{SO}_4$ )	175.3
Bicarbonic acid ( $\text{HCO}_3$ )	402.6
Nitric acid ( $\text{NO}_3$ )	4.2
Nitrous acid ( $\text{NO}_2$ )	0.4
Chlorin (Cl)	256.0
Bromin (Br) and iodin (I): Trace.	
Calcium (Ca)	147.9
Magnesium (Mg)	34.9
Potassium (K) and sodium (Na) to balance	167.7
	<hr/> 1,189.0

*Hypothetical Combinations.*

Sodium nitrate ( $\text{NaNO}_3$ )	5.8
Sodium nitrite ( $\text{NaNO}_2$ )	0.6
Sodium chlorid ( $\text{NaCl}$ )	421.8
Magnesium chlorid ( $\text{MgCl}_2$ )	0.1
Magnesium sulphate ( $\text{MgSO}_4$ )	172.6
Calcium sulphate ( $\text{CaSO}_4$ )	53.2
Calcium bicarbonate ( $\text{Ca}(\text{HCO}_2)_2$ )	534.9
	<hr/> 1,189.0

	Bottle 1	Bottle 2	Bottle 3
Nitrogen as nitrites	0.160	0.100	0.100
Nitrogen as nitrates	0.280	1.600	

Bacteriological examination showed pollution.

Adulteration of the article was alleged in the information for the reason that it consisted, in whole or in part, of filthy, putrid, and decomposed animal and vegetable substances.

It was charged in substance in the information that the article was misbranded for the reason that certain statements on the label falsely and fraudulently represented it as a preventive of gastrointestinal diseases, typhoid fever, dysentery, and enteritis, as a remedy for anemia, dyspepsia, diseases of the kidneys and bladder, stomach affections, arthritism, and kidney and bladder affections, when, in truth and in fact, it was not. Misbranding was alleged for the further reason that the statement regarding the article and the ingredients and substances contained therein, appearing on its label, to wit, "Natural

Mineral Water \* \* \* Saturated with carbonic acid gas and collected aseptically. \* \* \*," were false and misleading in that they indicated to purchasers thereof that it was a naturally carbonated mineral spring water; and for the further reason that it was labeled as aforesaid so as to deceive and mislead purchasers into the belief that it was a naturally carbonated mineral spring water, when, in truth and in fact, it was not, but was an artificially carbonated mineral spring water. Misbranding was alleged for the further reason that the article consisted of food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count.

On December 18, 1916, the defendants entered pleas of *nolo contendere* to the information, and the court imposed a fine of \$50 and costs.

CARL VROOMAN, *Acting Secretary of Agriculture.*

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